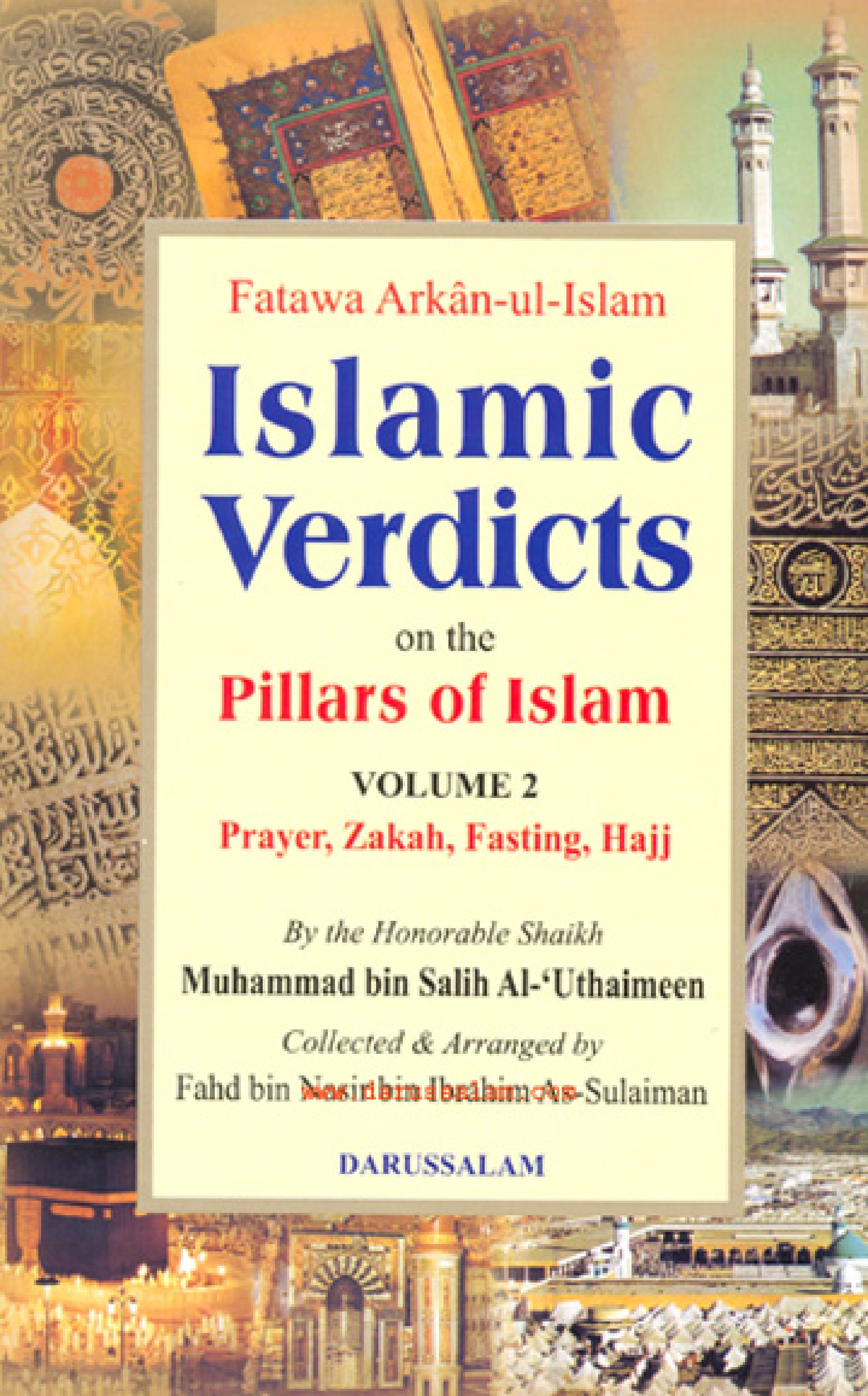

Fatawa Arkân-ul-Islam
Islamic Verdicts
on the
Pillars of Islam
VOLUME 2
Prayer, Zakah, Fasting, Hajj
By the Honorable Shaikh
Muhammad bin Salih Al-'Uthaimeen
Collected & Arranged by
Fahd bin Nasir bin Ibrahim As-Sulaiman
DARUSSALAM

فتاوى أركان الإسلام

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DARUSSALAM
GLOBAL LEADER IN ISLAMIC BOOKS

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Fatawa on Hajj (Pilgrimage)

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فتاوى الصلاة

Fatawa Relating to Prayer



Q. 200. If a person enters the *Masjid* while the *Mu'aththin* is calling the *Athan*, what is the best thing to do?

A. The best thing is to respond to the *Mu'aththin*, then supplicate after that, using the words that have been reported (from the Prophet ﷺ), then to begin the salutation of the *Masjid* (i.e. to pray two *Rak'ahs*). Some of the scholars have made an exception for this in the case of one who enters the *Masjid* while the *Mu'aththin* is making the second *Athan* on Friday. He should pray the salutation to the *Masjid* in order to hear the sermon (i.e. he should pray it while the *Athan* is being called in order not to miss anything of the sermon). They justified this by saying that listening to the sermon is an obligation, while answering the *Mu'aththin* is not an obligation, and the fulfillment of an obligation takes preference over the implementation of something which is not an obligation.

Q. 201. It has been reported in a *Hadith* that a person should repeat after the *Mu'aththin* by saying: 'I am pleased with Allâh as my Lord and with Islam as my religion and with Muhammad as my Messenger.' When should he say this?

A. What seems clear from the *Hadith* is that when the *Mu'aththin* says: I testify that none is worthy of worship except Allâh and that Muhammad is the Messenger of Allâh, and you have said the same, then you should say after that: 'I am pleased with Allâh as my Lord and with Islam as my religion and with Muhammad as my Messenger,' because a *Hadith* has been reported to that effect:

«مَنْ قَالَ حِينَ يَسْمَعُ النِّدَاءَ: أَشْهَدُ أَنْ لَا إِلَهَ إِلَّا اللهُ، وَأَشْهَدُ أَنَّ مُحَمَّدًا رَسُولُ اللهِ، رَضِيتُ بِاللهِ رَبًّا، وَبِالْإِسْلَامِ دِينًا، وَبِمُحَمَّدٍ رَسُولًا»

"Whoever said when he hears the call: 'I testify that none is worthy of worship except Allâh and I testify that Muhammad is

the Messenger of Allâh,': 'I am pleased with Allâh as my Lord and with Islam as my religion and with Muhammad as my Messenger,' his sins will be forgiven."[1]

And in another version:

«مَنْ قَالَ : وَأَنَا أَشْهَدُ»

"Whoever said: And I testify."

By him saying:

«وَأَنَا أَشْهَدُ»

"And I testify,"

there is evidence that he says it after the *Mu'aththin's* words: 'I testify that none is worthy of worship except Allâh,' because the letter *Waw* (meaning and) is a conjugation, and so his words follow after those of the *Mu'aththin*.

Q. 202. Is the addition: 'You do not break Your promise,' in the remembrance which follows the *Athan*, authentic or not?

A. This addition is the subject of differing among the scholars of *Hadith*:

Some of them say that it is unconfirmed, since it is *Shath*.[2] Most of those who narrated the *Hadith* did not narrate these words; but the position dictates that they not be left out, because the position is one of supplication and praise (of Allâh) and whatever was used in this manner should not be left out, because it is used to perform an act of worship.

Among the scholars are those who say that its chain of narrators is authentic and that it should be said, and that it

[1] Reported by Muslim in the Book of Prayer, in the Chapter: The Desirability of Saying What the *Mu'aththin* Says.

[2] *Shath*: A report from a single source which contradicts what has been widely reported from those better qualified.

does not negate the others. Among those who hold that it is authentic is Shaikh 'Abdul-'Aziz Ibn Baz, who said: Its chain of narrators is authentic, since it was reported by Al-Baihaqi with an authentic chain of narrators.[1]

Q. 203. Should a person repeat what the *Mu'aththin* says in the *Iqamah*?

A. A *Hadith* was reported by Abu Dawud about repeating what the *Mu'aththin* says in the *Iqamah*, but it is weak and may not be cited as evidence, and the most authoritative opinion is that it should not be repeated.

Q. 204. We hear from some people after the *Iqamah* has been called that they say: 'May Allâh establish it and cause it to continue.' What is the ruling on this?

A. It is has been reported in a *Hadith* from the Messenger of Allâh ﷺ that when the *Mu'aththin* said: The prayer has begun, he would say:

«أَقَامَهَا اللهُ وَأَدَامَهَا»

"May Allâh establish it and cause it to continue."[2]

However, the *Hadith* is weak and may not be cited as evidence.

Q. 205. What is the best time for offering the prayer? Is the start of the prescribed time better?

A. The most complete prayer is that which is performed at the time required by the Islamic Law. This is why when he was

[1] Reported by Al-Baihaqi in *As-Sunan* 1:410. Also see *Fatawa Al-Lajnah* 6:88 and the *Fatawa* of His Eminence, may Allah grant mercy to him from His abounding Mercy (10:364,365).

[2] Reported by Abu Dawud in the Book of Prayer, in the Chapter: What One Should Say if He Hears the *Iqamah*. Al-Hafiz (Ibn Hajr Al-'Asqalani) said in *At-Talkhis*: It is weak.

asked what deed is most loved by Allâh, the Almighty, the All-Powerful, the Prophet replied:

«الصَّلَاةُ عَلَى وَقْتِهَا»

"Prayer at its stated time."[1]

He did not say: Prayer at the beginning of its stated time. This is because it is prescribed to advance some of them and it is prescribed to delay some of them: For example, it is prescribed to delay the *'Isha'* prayer until a third of the night has passed. For this reason, if a woman was in the house and she asked: Which is better for me, to perform the *'Isha'* prayer when the *Athan* for *'Isha'* is called, or to delay it until a third of the night has passed? we would say: It is better to delay it until a third of the night has passed, because the Prophet ﷺ delayed it one night, until the people said: "Oh, Messenger of Allâh! The women and children have slept." He then came out and performed the prayer and said:

«إِنَّ هَذَا لَوَقْتُهَا، لَو لَا أَنْ أَشُقَّ عَلَى أُمَّتِي»

"This is the proper time for it; were it not that I would impose a burden on my people (I would normally pray at this time)."[2]

So, it is better for a woman to delay it, if she is in her house.

Likewise, let us suppose that certain people were travelling and they said: Shall we delay the prayer, or advance it? We would say: It is better to delay it.

Similarly, if a group of people went on an outing and the time came for the *'Isha'* prayer, and (they asked): Is it better to advance it or to delay it? we would say: It is better to delay it,

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[1] Reported by Al-Bukhari in the Book of the Times of the Prayers, in the Chapter: The Virtue of Performing Prayer at its Stated Time; and by Muslim in the Book of Faith, in the Chapter: The Fact That Belief in Allah, the Most High is Better Than Deeds.

[2] Reported by Muslim in the Book of *Masjids,* in the Chapter: The Timing of the *'Isha'* Prayer and Delaying it.

unless that would cause some difficulty.

The remainder of the prayers should be performed at the beginning of the time, unless there is some reason to delay them. The *Fajr* prayer should be performed early, as should the *Zuhr, 'Asr* and *Maghrib* prayers, unless there is some valid reason for delaying them. Such reasons include:

If the heat becomes intense, then it is better to delay the *Zuhr* prayer until the temperature is lower, i.e. until it is close to the *'Asr* prayer. Since the temperature is lower when it gets close to *'Asr* time, so if the heat is intense, it is better to wait until it is cooler. This is in accordance with the statement of the Prophet ﷺ:

«إِذَا اشْتَدَّ الْحَرُّ فَأَبْرِدُوا بِالصَّلَاةِ فَإِنَّ شِدَّةَ الْحَرِّ مِنْ فَيْحِ جَهَنَّمَ»

"If the heat becomes intense, then perform the Zuhr prayer when it becomes a little cooler, because the intensity of the heat is from the raging of the Hell-fire."[1]

The Prophet ﷺ went on a journey and Bilal stood up to call the *Athan* for the *Zuhr* prayer, but he said to him:

«أَبْرِدْ»

"Delay it until it is cooler."

Then he stood up again to call the *Athan*, but he said:

«أَبْرِدْ»

"Delay it until it is cooler."

Then he stood up again to call the *Athan* and he permitted him to do so. [2]

[1] Reported by Al-Bukhari in the Book of the Timings of the Prayers, in the Chapter: Delaying the *Zuhr* Prayer Until it is Cooler When the Heat is Intense; and by Muslim in the Book of *Masjids*, in the Chapter: The Desirability of Delaying the *Zuhr* Prayer Until it is Cooler.

[2] Reported by Al-Bukhari in the Book of the Timings of Prayers, in the Chapter: Delaying the *Zuhr* Prayer Until it is Cooler When on a

Another reason for delaying is if there is a congregation at the end of the time which cannot be found at the beginning of the time. In this case, delaying the prayer is better, such as when a man is in the desert when the time for prayer comes and he knows that he can reach the town in time to pray with the congregation at the end of the time. Is it better for him to pray when the time starts, or is it better to delay it until he reaches the town and prays with the congregation? We say that it is better to delay it so that he can catch the congregational prayer? Indeed, we might say that it is an obligation to delay the prayer so that he can catch the congregational prayer.

Q. 206. If a person prayed before the time out of ignorance, what is the ruling?

A. The prayer of a person before the stated time does not suffice him as the obligatory prayer, because Allâh, the Most High says:

﴿إِنَّ ٱلصَّلَوٰةَ كَانَتْ عَلَى ٱلْمُؤْمِنِينَ كِتَـٰبًا مَّوْقُوتًا﴾

"Verily, As-Salat (the prayer) is enjoined on the believers at fixed hours."[1]

The Prophet ﷺ made these times clear in his words:

«وَقْتُ الظُّهْرِ إِذَا زَالَتِ الشَّمْسُ»

"The time of Zuhr is when the sun begins to decline from its zenith."[2]

-up to the end of the *Hadith*.

Accordingly, whoever performed a prayer before its stated time,

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Journey; and by Muslim in the Book of *Masjids*, in the Chapter: The Desirability of Delaying the *Zuhr* Prayer Until it is Cooler When the Heat is Intense.

[1] *An-Nisa'* 4:103

[2] Reported by Al-Bukhari in the Book of the Times of Prayer, in the Chapter: What is Disliked of Talking After *'Isha'*.

it will not suffice him as the obligatory prayer. Instead it will be considered a supererogatory prayer, meaning that he will be rewarded with the reward of a supererogatory prayer for that prayer, and he must repeat the prayer once the time for it has begun. And Allâh knows best.

Q. 207. When one forgets a number of prayers, or misses them out of ignorance, is the requirement to abide by the the order of the prayers waved?

A. There is a difference of opinion about this issue. What is correct is that it is waved. The evidence for that, is the generality of Allâh, the Most High's saying:

﴿رَبَّنَا لَا تُؤَاخِذْنَآ إِن نَّسِينَآ أَوْ أَخْطَأْنَا﴾

"Our Lord! Punish us not if we forget or fall into error."[1]

And, that the Prophet ﷺ said:

«إِنَّ اللهَ تَجَاوَزَ عَنْ أُمَّتِي الْخَطَأُ وَالنِّسْيَانُ وَمَا اسْتُكْرِهُوا عَلَيْهِ»

"Indeeed Allâh has pardoned my nation for their mistakes, what they forgot, and what they were forced to do."[2]

Q. 208. A person entered the *Masjid* in order to perform the *'Isha'* prayer, then he remembered that he had not performed the *Maghrib* prayer; what should he do?

A. If you entered the *Masjid* and the *'Isha'* prayer has begun, then you remembered that you had not performed the *Maghrib* prayer, you should join the congregation with the intention of observing the *Maghrib* prayer. When the *Imam* stands up for the fourth *Rak'ah*, you sit in the third and wait for the *Imam*, then make the *Taslim* with him. You may also make the *Taslim* (i.e. after the third *Rak'ah*) and then join the *Imam* in what remains

[1] *Al-Baqarah* 2:286

[2] Reported by Ibn Majah in the Book on Divorce, the Chapter: The Divorce of the One Coerced and the One Who Forgot.

of the *'Isha'* prayer. There is no harm in the differing intentions between the *Imam* and those whom he is leading, according to the correct opinion among the sayings of the scholars. If you performed the *Maghrib* prayer alone, and then prayed what you could catch of the *'Isha'* prayer with the congregation, there is no objection to that.

Q. 209. If I missed one or more obligatory prayers due to sleep or forgetfulness, how do I make up for the missed prayers? Should I pray them first, then observe the current prayer, or vice versa?

A. You should pray them first, then offer the current prayer. It is not allowed to delay such prayers. It has become common practice among the people that if a person misses an obligatory prayer, he makes it up the next day at the time of the prayer which he missed. For example, if he did not perform the *Fajr* prayer on a certain day, he would not pray it except with the *Fajr* prayer of the following day; this is incorrect and it contradicts the guidance of the Prophet ﷺ, both spoken and practical:

As For the Spoken: It has been confirmed from the Prophet ﷺ that he said:

«مَنْ نَامَ عَنْ صَلَاةٍ أَوْ نَسِيَهَا ، فَلْيُصَلِّهَا إِذَا ذَكَرَهَا»

"If anyone slept through a prayer or forgot it, he should perform it when he remembers it."[1]

He did not say: He should pray it on the following day when the time for it comes; rather he said:

«فَلْيُصَلِّهَا إِذَا ذَكَرَهَا»

"he should perform it when he remembers it."

As For the Practical: When he missed some of the prayers on the day of the Battle of the Khandaq, he performed them before

[1] The reference for this *Hadith* was mentioned previously under no. 185.

the prayer that was due at that time, which proves that a person should offer the missed prayer, then offer the current one. But if he forgot and observed the current prayer before the one he missed, or he was ignorant and did not know, then his prayer is valid, because this is an excuse for him.

I would like to take this opportunity to say that the prayers fall into three categories regarding making them up for:

1. He makes it up for when the excuse ends, i.e. the excuse for delaying them – and they are the five daily prayers – when the excuse for delaying them ends, he must make them up for.

2. If he misses it, it cannot be made up for, but he makes up for something else instead of it and that is the Friday prayer: If he comes after the *Imam* has straightened up from the second *Rak'ah*, then in this case, he must offer the *Zuhr* prayer in its place. Although he joins the *Imam*, his intention is to pray the *Zuhr* prayer. Likewise, if a person arrives after the *Imam* has made the *Taslim*, he must offer the *Zuhr* prayer. But as for one who caught the *Ruku'* (bowing) of the second *Rak'ah*, he should offer the Friday prayer, i.e. he should perform one *Rak'ah* after it, once the *Imam* has made the *Taslim*. Many of the people are ignorant of this; some people arrive on Friday when the *Imam* has already straightened up from the second *Rak'ah* and they have not caught anything of the Friday prayer, then they pray two *Rak'ahs* on the basis that it is the Friday prayer. This is a mistake, in fact, if a person arrives after the *Imam* has straightened up from the second *Rak'ah*, then he has not caught anything of the Friday prayer, so he should offer the *Zuhr* prayer, according to the words of the Prophet ﷺ:

«مَنْ أَدْرَكَ رَكْعَةً مِنَ الصَّلَاةِ فَقَدْ أَدْرَكَ الصَّلَاةَ»

"Whoever caught a Rak'ah of the prayer has caught the prayer."[1]

[1] Reported by Al-Bukhari in the Book of the Times of Prayer, in the

What is understood from this is that whoever catches less than this has not caught the prayer; and the Friday prayer is compensated for by offering the *Zuhr* prayer. Therefore, it is incumbent upon women at home and upon the sick who do not attend the Friday prayer to offer the *Zuhr* prayer and not the Friday prayer, for if they offer the Friday prayer in these circumstances, it is invalid and rejected.

3. A prayer which, if it is missed, cannot be made up for except at a comparable time and that is the *'Eid* prayer if it was not known of it until after the sun passed its zenith, then the scholars say that they should perform it on the following day at the same time.

So, making up for prayers falls into three categories:

1. That which is made up for after the excuse ends, and that is the five daily prayers, and also the *Witr* prayer, and its like among the prescribed *Sunnah* prayers.

2. That which is made up for by something else instead of it, and that is the Friday prayer; if it is missed, it is made up for by offering the *Zuhr* prayer.

3. That which is made up for by itself, but at a comparable time on the following day, and that is the *'Eid* prayer; if it is not prayed before the sun reaches its zenith, then it is prayed at a comparable time on the following day. And Allâh is the Granter of success.

Q. 210. Many people pray in thin garments that show the skin, and under the garment, they wear short pants which do not cover more than the middle of the thigh, leaving half the thigh visible under the garment. What is the ruling on their prayer?

Chapter: Whoever Caught a *Rak'ah* of the Prayer; and by Muslim in the Book of *Masjids*, in the Chapter: Whoever Caught a *Rak'ah* of the Prayer Has Caught the Prayer.

A. The ruling on their prayer is that of a person who prayed without a garment except short pants. Because their garments are transparent enough to reveal the skin, and do not cover it. Wearing such garments is the same as not wearing them. Based upon this, their prayer is not valid, according to the more authoritative of two opinions held by the scholars, and it is what is well known from the *Mathhab* of Imam Ahmad, may Allâh have mercy on him. This is because it is an obligation for the male worshipper to cover what is between the navel and the knees, and that is the minimum necessary for compliance with the Words of Allâh, the Almighty, the All-Powerful:

﴿يَٰبَنِيٓ ءَادَمَ خُذُواْ زِينَتَكُمۡ عِندَ كُلِّ مَسۡجِدٖ﴾

"O Children of Adam! Take your adornment (by wearing your clean clothes) while praying."[1]

So, one of two things is incumbent upon them: Either to wear pants which cover what is between the navel and the knees, or to wear a thick garment that does not reveal the skin over these short pants.

This action which was mentioned in the question is a mistake, and it is dangerous, so it is incumbent upon them to repent of it to Allâh, the Most High and to take care to completely cover what it is obligatory to cover in their prayers. We ask Allâh, the Most High that He guide us and our Muslim brothers and grant us success in attaining that which He loves and which pleases Him. Verily, He is Most Generous, Most Kind.

Q. 211. What is the ruling on a woman wearing clothing which has openings at the front, sides and back, which reveal a portion of the ankle and these women defend it by saying that it is only between women?

A. It is my opinion that it is incumbent upon a woman to cover

[1] *Al-A'raf* 7:31

herself with clothing which screens her; and Shaikhul-Islam Ibn Taimiyyah, may Allâh have mercy on him, said that the women in the time of the Prophet ﷺ used to wear long shirts which reached down to their ankles and covered their arms up to their wrists. There is no doubt that these splits in the clothing, which the questioner has indicated, show the calves, and they might even display what is above the calves. It is an obligation upon a woman to be modest and to wear what covers her best, so that she be not included in the words of the Prophet ﷺ:

«صِنْفَانِ مِنْ أَهْلِ النَّارِ لَمْ أَرَهُمَا : قَوْمٌ مَعَهُمْ سِيَاطٌ كَأَذْنَابِ الْبَقَرِ يَضْرِبُونَ بِهَا النَّاسَ، وَنِسَاءٌ كَاسِيَاتٌ عَارِيَاتٌ، مَائِلَاتٌ مُمِيلَاتٌ، رُؤُوسُهُنَّ كَأَسْنِمَةِ الْبُخْتِ الْمَائِلَةِ لَا يَدْخُلْنَ الْجَنَّةَ، وَلَا يَجِدْنَ رِيحَهَا، وَإِنَّ رِيحَهَا لَيُوجَدُ مِنْ مَسِيرَةِ كَذَا وَكَذَا»

"Two are the types of the inhabitants of Hell whom I did not see: people having whips like the tails of oxen with them and they would be beating people, and women who would be dressed but appear to be naked, who would be inclined (to evil) and make their husbands incline towards it. Their heads would be like the humps of the Bukht camel, inclined to one side. They will not enter Paradise and they will not smell its odor, even though its odor will be smelled from such and such a distance."[1]

Q. 212. Is it permissible for a woman to pray wearing a face veil and gloves?

A. If the woman is praying in her house in a place where no one can see her except men who are *Mahrams*[2] for her, then it is lawful for her to uncover her face and hands in order that her

[1] Reported by Muslim in the Book of Clothing and Decoration, in the Chapter: Women Who Would be Dressed but Appear to be Naked.

[2] *Maharim*: (sing. *Mahram*) Those whom she cannot marry, such as a brother, uncle etc.

forehead and nose come into direct contact with the place of prostration (on the ground) and likewise her hands.

However, if she is praying where there are men around her who are not *Mahrams* for her, then she must cover her face. This is because covering the face from those who are not *Mahrams* is an obligation, and it is not lawful for her to reveal it to them. This is proven by the Book of Allâh, the Most Glorified, the Most High and the *Sunnah* of His Messenger ﷺ and the correct opinion, which no rational mind can deny, let alone a believer.

Wearing gloves on the hands is something which has been prescribed by the Islamic Law, for this was the apparent custom of the wives of the Companions. The evidence for this is the fact that the Prophet ﷺ said:

«لَا تَنْتَقِبِ الْمُحْرِمَةُ، وَلَا تَلْبَسِ الْقُفَّازَيْنِ»

"The female Hajj pilgrim must not cover the face nor gloves."[1]

This proves that it was their custom to wear gloves, and therefore there is no objection to a woman wearing gloves when she is praying if there are unrelated men in her presence. As for veiling the face, she should cover it as long as she is sitting or standing, then when she wants to prostrate, she should uncover her face in order for it to make direct contact with the place of prostration.

Q. 213. What is the ruling on one who prays in garments that are impure when he does not know them to be so?

A. If a person prays in impure garments, and he did not know until after he prayed that they had become soiled by some filth, then the prayer is valid and he does not need to repeat it. This is because he did this forbidden thing unknowingly or forgetfully

[1] Reported by Al-Bukhari in the Book: The Penalty for Hunting, in the Chapter: What is Forbidden of Wearing Perfume for the *Muhrim* and the *Muhrimah*.

and Allâh, the Most Blessed, the Most High says:

﴿رَبَّنَا لَا تُؤَاخِذْنَآ إِن نَّسِينَآ أَوْ أَخْطَأْنَا﴾

"Our Lord! Punish us not if we forget or fall into error."[1]

And He, the Most High says:



"I have done so."[2]

The Messenger of Allâh ﷺ prayed one day in his shoes and there was some filth on them, and during the prayer, Jibril, peace be upon him, came to him and informed him of that. So the Messenger of Allâh ﷺ took them off during the prayer [3] and he did not repeat the prayer. This proves that whoever came to know of some impurities during the prayer, he may remove it, even though it is during the prayer. He should continue in his prayer, if it is possible for his *'Awrah* to remain covered after he removes it. Likewise, whoever forgot and then remembered during the prayer, he should remove this soiled garment, if his *'Awrah* remains covered. However, if he completed his prayer and then remembered after being finished, or he came to know of it after he had finished, he is not obliged to repeat it and his prayer is valid, as opposed to a man who prayed and he forgot to perform ablution. For example, if he had broken wind and then forgotten to perform the ablution, then prayed and then remembered after completing the prayer that he had not made ablution in that case, he must perform ablution and repeat the prayer. Likewise, if he was in a state of major ritual impurity (*Janabah*) and he did not know of it. Like one who had a

[1] *Al-Baqarah* 2:286

[2] Reported by Muslim in the Book of Faith, in the Chapter: Clarification That He, Most Glorified Does not Burden a Person Beyond His Ability.

[3] Reported by Al-Bukhari in the Book of Prayer, in the Chapter: Prayer Wearing Shoes.

nocturnal emission and offered the morning prayer without making *Ghusl* due to ignorance of the fact on his part, then during the day, he noticed *Mani* on his garment in that case, he must perform *Ghusl* and repeat what he had prayed.

The difference between this matter and the first matter I mean the matter of *Najasah*[1] is that *Najasah* belongs to the category of leaving what is forbidden, while ablution (*Wudu'*) and *Ghusl* belong to the category of doing what is commanded. Doing what is commanded is something compulsory, something that a person must undertake and the act of worship is not complete without it. But as for removing filth, it is a matter of something which should be absent (i.e. the filth) and the prayer is not complete unless it is absent, so if it is present during the prayer during to forgetfulness or ignorance, then it does not harm, because no requisite of the prayer has been left out. And Allâh knows better.

Q. 214. What is the punishment for allowing one's garment to hang below the ankles if one intended to display arrogance, and what is the punishment of it if one did not intend to display pride and arrogance by doing so? How should we respond to one who cites as evidence the *Hadith* of Abu Bakr, may Allâh be pleased with him?

A. If one intends to display pride and arrogance by letting his garment hang down below the ankles, then the punishment is that Allâh, the Most High will not look at him on the Day of Resurrection, nor will He speak to him, nor will He absolve him and for him there will be a painful punishment.

As for one who did not intend to display arrogance, his punishment is that what hangs down below the ankles will be punished in the Fire, because the Prophet ﷺ said:

[1] *Najasah*: Impurity, filth.

«ثَلَاثَةٌ لَا يُكَلِّمُهُمُ اللهُ يَوْمَ الْقِيَامَةِ، وَلَا يَنْظُرُ إِلَيْهِمْ، وَلَا يُزَكِّيهِمْ وَلَهُمْ عَذَابٌ أَلِيمٌ: الْمُسْبِلُ، وَالْمَنَّانُ، وَالْمُنَفِّقُ سِلْعَتَهُ بِالْحَلِفِ الْكَاذِبِ»

"There are three persons whom Allâh will not look at, nor will He speak to them, nor will He absolve them and for them is a painful punishment: The one whose garment hangs down, the one who performs good deeds and mentions them frequently and the one who swears falsely in order to sell his wares."[1]

The Prophet ﷺ said:

«مَنْ جَرَّ ثَوْبَهُ خُيَلَاءَ لَمْ يَنْظُرِ اللهُ إِلَيْهِ يَوْمَ الْقِيَامَةِ»

"Whoever drags his garment on the ground out of pride and arrogance, Allâh will not look at him on the Day of Resurrection."[2]

This is about the one who drags his garment out of pride and arrogance.

As for one who does not intend to display pride and arrogance, it is reported in *Sahih Al-Bukhari* on the authority of Abu Hurairah, may Allâh be pleased with him, that the Prophet ﷺ said:

«مَا أَسْفَلَ مِنَ الْكَعْبَيْنِ مِنَ الْإِزَارِ فَفِي النَّارِ»

"Whatever hangs down below the ankles from the Izar will be in the Fire."[3]

[1] Reported by Muslim in the Book of Faith, in the Chapter: Explanation of the Serious Prohibition of Letting the *Izar* Hang Down.

[2] Reported by Al-Bukhari in the Book of Clothing, in the Chapter: Whoever Dragged His Garment on The Ground Due to Pride and Arrogance; and by Muslim in the Book of Clothing, in the Chapter: The Forbiddance of Dragging One's Garment on the Ground Due to Pride and Arrogance.

[3] Reported by Al-Bukhari in the Book of Clothing, in the Chapter: Whatever Hangs Down Below the Ankles is in the Fire.

He did not link it to pride and arrogance, nor is it correct to link it to them, according to the *Hadith* before it, because Abu Sa'id Al-Khudri, may Allâh be pleased with him, said: The Messenger of Allâh ﷺ said:

«أُزْرَةُ الْمُؤْمِنِ إِلَى نِصْفِ السَّاقِ وَلَا حَرَجَ - أَوْ قَالَ: لَا جُنَاحَ عَلَيْهِ- فِيمَا بَيْنَهُ وَبَيْنَ الْكَعْبَيْنِ، وَمَا كَانَ أَسْفَلَ مِنْ ذَلِكَ فَهُوَ فِي النَّارِ، وَمَنْ جَرَّ إِزَارَهُ بَطَرًا لَمْ يَنْظُرِ اللهُ إِلَيْهِ يَوْمَ الْقِيَامَةِ»

"The Izar of the believer is at the middle of his shin, and there is no sin (or he said: it is not a sin on him) if it falls anywhere between there and the ankles. And whatever is below that is in the Fire; and whoever drags his Izar on the ground out of pride, Allâh will not look at him on the Day of Resurrection."[1]

This was narrated by Malik, Abu Dawud, An-Nasa'i, Ibn Majah and Ibn Hibban in his *Sahih* and it was mentioned in *At-Targhib wat-Tarhib* in: The Recommendation of Wearing a *Qamis*, page 88, vol. 3. The two acts are different, and the two punishments are different; and whenever the ruling and the cause differ, it is not possible to link the unconditional to the conditional, since this would necessitate a contradiction.

As for one who cites the *Hadith* of Abu Bakr, may Allâh be pleased with him, as evidence against us, we say to him: There is no evidence in it for you for two reasons:

1. That Abu Bakr, may Allâh be pleased with him, said: "One side of my *Izar* hangs low if I do not take care of it."[2]

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[1] Reported by Imam Ahmad 3:5; and by Abu Dawud in the Book of Clothing, in the Chapter: Estimating the Place of the *Izar* (4093); and by Ibn Majah in the Book of Clothing, in the Chapter: The Place of the *Izar*, Where is it? (3573); and by An-Nasa'i in the Book of Adornment, in the Chapter: The Place of the *Izar* and by Malik (2:217).

[2] Reported by Al-Bukhari in the Book of Clothing, in the Chapter: Whoever Dragged His *Izar* Without it Being Due to Pride and Arrogance.

But Abu Bakr did not make his *Izar* hang down by his own choice. Rather, it would hang down itself, and in spite of this, he took care of it. Those who claim that they do not intend to display pride and arrogance by doing so, intentionally make their garments hang down, so we say to them: If you intended to lower your garments below the ankles without intending to display pride and arrogance, you will be punished for what hangs below the ankles in the Fire, and if you dragged your garments on the ground due to pride and arrogance, you will be punished for something greater than that: Allâh will not speak to you on the Day of Resurrection, nor will He look at you, nor will he absolve you and you will have a painful punishment.

2. That the Prophet ﷺ absolved Abu Bakr, and testified that he is not one of those who do that out of pride and arrogance. Has any of those people been given this absolution and testimony?! But Satan makes a way for some people following the doubtful things, in the evidences of the Book (of Allâh) and the *Sunnah*, in order to exonerate themselves of what they did, and Allâh guides whom He wills to the Straight Path. We ask Allâh that He guide and pardon us all. Written on 29/6/1399 A. H.

Q. 215. If a person prayed and then it became clear that he had made *Hadath* which necessitated *Ghusl* (what should he do)?

A. Every person who prays and then finds after the prayer that he has major or minor *Hadath* then it is incumbent upon him to purify himself from this *Hadath* and to repeat the prayer, because the Prophet ﷺ said:

«لَا يَقْبَلُ اللهُ صَلَاةً بِغَيْرِ طُهُورٍ»

"Allâh does not accept prayer without purification."[1]

[1] Reported by Muslim in the Book of Purification, in the Chapter: The Obligation to Purify Oneself for Prayer.

Q. 216. If a person had a nosebleed while he was praying, what is the ruling? Does it make the clothing impure?

A. A nosebleed does not nullify the ablution, whether it is much or little. Likewise, everything that is emitted from the body – besides what comes from the two *Sabils*[1] – does not nullify ablution, like vomit and pus. They also do not invalidate ablution, whether it be much or little, because this has not been confirmed from the Prophet ﷺ, and the basic principle is that one remains in a state of ritual purity, because this state of purity has been confirmed by legal evidence. And whatever was confirmed by legal evidence cannot be removed except by another legal evidence. There is no evidence that a bodily emission from other than the two *Sabils* nullifies ablution. So based upon this, ablution is not invalidated by a nosebleed, or by vomiting, whether it be much or little. But if it annoys you during your prayer and you are unable to complete it with humility, then there is no sin upon you if you leave the prayer at that time. Likewise, if you feared that you will soil the *Masjid* with this blood pouring out, then you must leave so that you do not soil the *Masjid*. As for the blood which spills on the clothing, it does not make it impure.

Q. 217. What is the ruling on praying in a *Masjid* in which there is a grave?

A. Prayer in a *Masjid* in which there is a grave is of two types:

1. That the grave existed before the *Masjid*, so that the *Masjid* was built over the grave. Then it is obligatory to leave this *Masjid* and not to pray in it, and it is incumbent upon the person who built it to destroy it. If he did not do so, it is incumbent upon the person in authority over the Muslims to destroy it.

2. That the *Masjid* existed before the grave, so that the deceased

[1] The two areas where waste exits.

person is buried in it after the building of the *Masjid*. In this case, it is obligatory to open the grave, removing the deceased, and burying him with the people.

As for the *Masjid*, it is permissible to pray in it, with the condition that the grave is not in front of the worshippers, because the Prophet ﷺ prohibited praying towards graves.

As for the grave of the Prophet ﷺ which has been encompassed by the Prophet's *Masjid*, it is well known that the *Masjid* of the Prophet ﷺ was built before he died, so it was not built over the grave. It is also well known that the Prophet ﷺ was not buried in it; he was buried in his house which was separate from the *Masjid*.

Then during the rule of Al-Walid bin 'Abdul-Malik, he wrote to his Governor in Al-Madinah, who was 'Umar bin 'Abdul-'Aziz, in the year 88 A. H. to demolish the Prophet's *Masjid* and incorporate the rooms of the Prophet's wives into it.

So 'Umar gathered the prominent people and the scholars of Islamic Jurisprudence and read to them the letter from the Commander of the Faithful, Al-Walid and this was unacceptable to some of them and they said: Leaving it as it is, is more worthy of consideration. It is reported that Sa'id bin Al-Musayyib rejected the inclusion of 'Aishah's chamber, as if he feared that the grave would be taken as a *Masjid*. So, 'Umar wrote this to Al-Walid, and Al-Walid sent him a reply ordering him to implement it, leaving 'Umar with no choice in the matter.

So, you see that the grave of the Prophet ﷺ was not placed in the *Masjid*, nor was the *Masjid* built over it. Therefore there is no proof in it for one who claims that it is lawful to bury the dead in the *Masjids* or to build them over the graves. It has been confirmed from the Prophet ﷺ that he said:

«لَعْنَةُ اللهِ عَلَى الْيَهُودِ وَالنَّصَارَى اتَّخَذُوا قُبُورَ أَنْبِيَائِهِمْ مَسَاجِدَ»

"Allâh cursed the Jews and Christians who took the graves of their

Prophets as places of worship."[1]

He said that when he was close to death, as a warning to the people against doing what those people did. When Umm Salamah, may Allâh be pleased with her, mentioned a church that she had seen in the lands of Ethiopia, and the pictures it contained, the Prophet ﷺ said:

«أُولَئِكِ إِذَا مَاتَ فِيهِمُ الرَّجُلُ الصَّالِحُ - أَوِ الْعَبْدُ الصَّالِحُ - بَنَوْا عَلَى قَبْرِهِ مَسْجِدًا، أُولَئِكَ شِرَارُ الْخَلْقِ عِنْدَ اللهِ»

"Those people, if a righteous man among them died or a righteous worshipper, they would build a Masjid over his grave. Those people are the most evil of creation in before Allâh."[2]

It is reported on the authority of Ibn Mas'ud, may Allâh be pleased with him, that the Prophet ﷺ said:

«إِنَّ مِنْ شِرَارِ النَّاسِ مَنْ تُدْرِكُهُمُ السَّاعَةُ وَهُمْ أَحْيَاءٌ، وَالَّذِينَ يَتَّخِذُونَ الْقُبُورَ مَسَاجِدَ»

"Verily, the most evil of people are those who will be overtaken by the Hour while they are alive and those who took the graves as places of worship."[3]

The believer does not accept the idea of following the way of the Jews and Christians, nor to be one of the most evil of people. Written on 7/4/1414 A. H.

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[1] Reported by Al-Bukhari in the Book of Prayer, in the Chapter: The Hatefulness of Offering Prayers in Graveyards; and by Muslim in the Book of *Masjids*, in the Chapter: The Prohibition of Building *Masjids* Over Graves.

[2] Reported by Al-Bukhari in the Book of Funerals, in the Chapter: Building a *Masjid* Over a Grave; and by Muslim in the Book of *Masjids*, in the Chapter: The Prohibition of Building *Masjids* Over Graves.

[3] Reported by Imam Ahmad 1:405 and 435.

Q. 218. What is the ruling on prayer on the roof of the bathroom? What is the ruling of prayer on the roof of places where polluted wastes are collected?

A. There is no objection to prayer on the roofs of our well known bathrooms, because our bathrooms are not separate buildings, so their roof is that of the whole house. There is no objection to prayer on the roofs of places where polluted wastes are collected, according to the generality of the words of the Prophet ﷺ:

«جُعِلَتْ لِيَ الْأَرْضُ مَسْجِدًا وَطَهُورًا»

"The earth has been made a place of prayer for me (and my followers) and a place to perform Tayammum."[1]

Q. 219. What is the ruling on those who walk in their shoes on the floor of the Sacred *Masjid*?

A. Walking on the floor of the Sacred *Masjid* in shoes is unbefitting, because it will open up the door to the general masses, who do not esteem the *Masjid*, so they will come wearing shoes which are soiled with water, or they might even be soiled with impurities which they bring into the Sacred *Masjid* and thereby defile it.

Something which the Islamic Law encourages, but it is feared that it will entail harm, then it is an obligation to beware of this harm and abandon it. The established rule of the scholars is: If beneficial things and harmful things are in conflict and they are both equal, or the harmful things produce more damage than the good produced by the beneficial things, then preventing harm is more important than bringing about good. And thus Prophet (i.e. Muhammad ﷺ) wanted to level the *Ka'bah* and rebuild it on the foundations of Ibrahim, peace be upon him,

[1] Reported by Al-Bukhari in the Book of Prayer.

but because the people had recently abandoned disbelief, he left this recommended deed, due to the fear that it would cause harm. He said to 'Aishah, may Allâh be pleased with her:

«لَوْلَا أَنَّ قَوْمَكِ حَدِيثُو عَهْدٍ بِكُفْرٍ لَهَدَمْتُ الْكَعْبَةَ، وَبَنَيْتُهَا عَلَى قَوَاعِدِ إِبْرَاهِيمَ، وَجَعَلْتُ لَهَا بَابَيْنِ بَابًا يَدْخُلُ مِنْهُ النَّاسُ، وَبَابًا يَخْرُجُونَ مِنْهُ»

"If it were not that your people had recently abandoned disbelief, I would have levelled the Ka'bah and rebuilt it upon the foundations of Ibrahim and made two doors for it: One door for the people to enter by and one door for them to leave by."[1]

Q. 220. If it became clear to the worshipper that he deviated slightly from the *Qiblah,* should he repeat the prayer?

A. If he deviated only slightly, then it does not cause any harm. This is the case, except in the Sacred *Masjid*, because *Qiblah* for the worshipper in the Sacred *Masjid* is the *Ka'bah* itself. This is why the scholars have said that whoever is able to see the *Ka'bah*, it is an obligation upon him to face it directly. If it happened that a worshipper in the Sacred *Masjid* faced towards its general direction, but not towards the *Ka'bah* itself, then he must repeat his prayer, because his prayer is not valid; Allâh, the Most High says:

﴿فَوَلِّ وَجْهَكَ شَطْرَ ٱلْمَسْجِدِ ٱلْحَرَامِ وَحَيْثُ مَا كُنتُمْ فَوَلُّوا۟ وُجُوهَكُمْ شَطْرَهُۥ﴾

"so turn your face in the direction of Al-Masjid Al-Haram (at Makkah). And wheresoever you people are, turn your faces (in

[1] Reported by Al-Bukhari in the Book of *Hajj*, in the Chapter: The Virtue of Makkah and its Buildings; and by Muslim in the Book of *Hajj*, in the Chapter: The Levelling of the *Ka'bah* and its Rebuilding.

prayer) in that direction."[1]

However, if a person is far from the *Ka'bah* and he is unable to see it, even though he may be in Makkah, then it is incumbent upon him to face its general direction, and if he errs a little, it does not harm. This is why the Prophet ﷺ said to the people of Al-Madinah:

«مَا بَيْنَ الْمَشْرِقِ وَالْمَغْرِبِ قِبْلَةٌ»

"What lies between the east and the west is a Qiblah."[2]

This is because it is south of them, so everything between the east and the west is a *Qiblah* for them. Likewise, we say for example to those who pray towards the west that everything between the north and south is a *Qiblah*.

Q. 221. If a congregation prayed towards a direction other than the *Qiblah*, what is the ruling on that prayer?

A. This matter does not fall outside of two situations:

1. That they are in a place where it is not possible for them to ascertain the direction of the *Qiblah*, such as when they are on a journey and the sky is cloudy and they are unable to find guidance as to which direction the *Qiblah* lies in. In that case, if they prayed according to their best judgement, then it became clear to them that they were not facing towards the *Qiblah*, there is nothing incumbent upon them. This is because they have kept their duty to Allâh and feared Him as much as they are able and Allâh, the Most High has said:

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[1] *Al-Baqarah* 2:144

[2] Reported by At-Tirmithi in the Book of Prayer, in the Chapter: What Has Been Said Regarding the Fact That What Lies Between the East and the west is a *Qiblah*; and by Ibn Majah (1011); and by Al-Hakim in *Al-Mustadrak* (1:225), who said it was authentic, and Ath-Thahabi agreed with that.

﴿فَٱتَّقُواْ ٱللَّهَ مَا ٱسْتَطَعْتُمْ﴾

"So keep your duty to Allah and fear Him as much as you can."[1]

The Prophet ﷺ said:

«إِذَا أَمَرْتُكُمْ بِأَمْرٍ فَأْتُوا مِنْهُ مَا اسْتَطَعْتُمْ»

"If I command you to do something, then do as much as you are able."[2]

And Allâh, the Most High says regarding this matter:

﴿وَلِلَّهِ ٱلْمَشْرِقُ وَٱلْمَغْرِبُ ۚ فَأَيْنَمَا تُوَلُّواْ فَثَمَّ وَجْهُ ٱللَّهِ ۚ إِنَّ ٱللَّهَ وَٰسِعٌ عَلِيمٌ﴾

"And to Allah belong the east and the west, so wherever you turn (yourselves or your faces) there is the Face of Allah (and He is High above, over His Throne). Surely, Allah is All-Sufficient for His creatures' needs, All-Knowing."[3]

2. That they are in a place where it is possible for them to ascertain the direction of the *Qiblah* by asking, but they are neglectful and careless. In these circumstances, it is necessary for them to make up for the prayer they performed towards a direction other than that of the *Qiblah*, whether they were aware of their mistake before the time for the prayer passed or after it. They are guilty of error and wrongdoing in this situation: They erred regarding the matter of the *Qiblah*, because they did not deliberately deviate from it, but they are wrongdoers in that they were negligent and careless by not asking about it. Although we should know that deviating

[1] *At-Taghabun* 64:16

[2] Reported by Al-Bukhari in the Book of Adherence to the Book of Allah and the *Sunnah*, in the Chapter: Following the Example of the Messenger of Allah's *Sunnah*; and by Muslim in the Book of *Hajj*, in the Chapter: The Obligation of *Hajj* Once in a Lifetime.

[3] *Al-Baqarah* 2:115

slightly from the direction of the *Qiblah* does not harm, according to the words of the Prophet ﷺ regarding the people of Al-Madinah:

«مَا بَيْنَ الْمَشْرِقِ وَالْمَغْرِبِ قِبْلَةٌ»

"What lies between the east and the west is a Qiblah."[1]

So, to those who are to the north of the *Ka'bah*, we say: What lies between the east and the west is a *Qiblah*, and likewise to those who are south of it. To those who are east or west of it, we say: What lies between the north and south is a *Qiblah*, so deviating slightly has no effect and does no harm.

Here there is a matter which I would like to draw attention to: If anyone is in the Sacred *Masjid* and can see the *Ka'bah*, then he is required to face directly towards the *Ka'bah*, not in its general direction. If he deviated from the exact direction of the *Ka'bah*, he will not be facing towards the *Qiblah*; and I see many people in the Sacred *Masjid* who are not facing directly towards the *Ka'bah*. One finds a long stretched-out row (of worshippers) and one knows for a certainty that many of them are not facing exactly towards the *Ka'bah*, and this is a serious mistake which it is incumbent upon the Muslims to beware of and to correct. If they pray in this way, they are praying towards a direction other than that of the *Qiblah*.

Q. 222. What is the ruling on pronouncing the intention (to pray)?

A. The Prophet ﷺ said:

«إِنَّمَا الْأَعْمَالُ بِالنِّيَّاتِ، وَإِنَّمَا لِكُلِّ امْرِىءٍ مَا نَوَى»

"Deeds are with intentions and every person shall have that which he intended."[2]

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[1] The reference for this *Hadith* was mentioned in the previous answer.

[2] Reported by Al-Bukhari in the Book of the Beginning of the

The place of the intention is the heart, and it does not need to be spoken. If you stand up to perform the ablution, this is the intention, and it is not possible for a rational person who is not forced to do something to do that thing without having the intention to do it, which is why some of the scholars have said that if Allâh imposed upon us the obligation to do something without an intention, it would be a commission to do something impossible.

It has not been reported from the Messenger of Allâh ﷺ or from his Companions that they used to pronounce their intention. Those whom you hear pronouncing the intention do so either due to ignorance, or blindly following those among the scholars who tell them to do so. This is because they say that it is necessary to pronounce the intention so that the heart may concur with the tongue, but we say that this saying of theirs is not correct, for if the matter were to be legislated, the Messenger ﷺ would have made it clear to the people, either by words or deed. And Allâh is the Granter of success.

Q. 223. What is the ruling on offering the obligatory prayer behind one who is offering a supererogatory prayer, such as one praying the *'Isha'* prayer with those who are praying *Tarawih*?

A. There is no objection to him offering the *'Isha'* prayer behind one who is praying *Tarawih* and Imam Ahmad, may Allâh have mercy on him, has determined this. So, if he was a traveller, or he caught the *Imam* at the beginning of the prayer, he may make the *Taslim* with him and if not, he should complete what remains after the *Imam* makes his *Taslim*.

Q. 224. If a traveller caught the last two *Rak'ahs* of the prayer with the resident *Imam*, may he make the *Taslim*

Revelation (1); and Muslim in the Book of Government, (1907).

with him with the intention of shortening the prayer?

A. It is not permissible for the traveller, if he completes the prayer with the *Imam*, to shorten the prayer, according to the general meaning of the words of the Prophet ﷺ:

«مَا أَدْرَكْتُمْ فَصَلُّوا وَمَا فَاتَكُمْ فَأَتِمُّوا»

"Whatever you catch of the prayer, pray it and whatever you have missed, complete it."[1]

So based upon this, if the traveller caught the last two *Rak'ahs* of the prayer with the resident *Imam*, it is incumbent upon him to offer two *Rak'ahs* after the *Imam* makes his *Taslim* and it is not permissible for him to make his *Taslim* with the *Imam* by shortening his prayer to two *Rak'ahs*. And Allâh knows best.

Q. 225. What is the ruling on rushing when walking to prayer?

A. It is prohibited for a person to rush when walking to prayer. The Prophet ﷺ ordered us to walk to the *Masjid* calmly and with tranquility, and he prohibited us from hurrying. Although some of the scholars said that there is no objection to a person hurrying moderately, if he fears that he will miss a *Rak'ah*, such as if he entered the *Masjid* while the *Imam* was bowing and he hurried in a manner which was not objectionable; as one sees some of the people doing, they come running wildly, and this is prohibited. Coming calmly and with tranquility, not hurrying, is better, even if he feared that he will miss the *Rak'ah*, according to the general meaning of the *Hadith*.

[1] Reported by Al-Bukhari in the Book of the *Athan*, in the Chapter: Do not Hasten to Prayer (636); and by Muslim in the Book of the *Masjids*, in the Chapter: The Recommendation to go to the *Masjid* with Sedateness (151).

Q. 226. Is it permissible to hurry in order to catch the *Rak'ah* with the *Imam* in the congregational prayer? Deliver a verdict for us, and may Allâh preserve you and protect you.

A. If you entered while the *Imam* was bowing, do not hurry and do not begin praying before you reach the first row, because the Prophet ﷺ said to Abu Bakrah, may Allâh be pleased with him, when he did that:

«زَادَكَ اللهُ حِرْصًا وَلَا تَعُدْ»

"May Allâh increase you in striving, but do not do it again."[1]

Q. 227. What is the ruling on reciting the Qur'ân in the *Masjid* in a loud voice, that causes disturbance to the other worshippers?

A. The ruling on a man reciting the Qur'ân in the *Masjid* in a manner which disturbs the other worshippers, or those studying, or a person reciting the Qur'ân, is that it is unlawful. This is because he falls into something which the Prophet ﷺ has prohibited. It has been reported by Malik in *Al-Muwatta'*[2] on the authority of Al-Bayadhi (he is Farwah bin 'Amr) that the Prophet ﷺ went out to the people while they were praying and their voices were raised in recitation and he said:

«إِنَّ الْمُصَلِّيَ يُنَاجِي رَبَّهُ فَلْيَنْظُرْ بِمَا يُنَاجِيهِ بِهِ، وَلَا يَجْهَرْ بَعْضُكُمْ عَلَى بَعْضٍ بِالْقُرْآنِ»

"Verily, the worshipper in prayer is talking confidentially to his Lord, so he should consider what he is confiding to Him. Some of

[1] Reported by Al-Bukhari in the Book of the *Athan*, in the Chapter: If He Bows Outside the Row.

[2] Reported by Malik in the Book of Prayer, in the Chapter: Behavior in Prayer.

them should not raise their voices over those of others when reciting the Qur'ân."

Abu Dawud reported something similar from the *Hadith* of Abu Sa'id Al-Khudri, may Allâh be pleased with him.[1]

Q. 228. Some people, when they enter the *Masjid* near to the time of the *Iqamah,* stand and wait for the arrival of the *Imam* and abandon the salutation to the *Masjid*; what is the ruling on this action?

A. If the time is short that it is not possible to perform the salutation to the *Masjid,* then there is no sin upon them. But if they do not know when the *Imam* will arrive, then it is better to offer the salutation to the *Masjid,* then if the *Imam* comes and the *Iqamah* is called while you are in the first *Rak'ah,* then you should stop it, but if you are in the second *Rak'ah,* then complete it quickly.

Q. 229. It is observed that in the Sacred *Masjid,* some men form rows behind the women's rows in the obligatory prayers; is their prayer accepted? And do you have any advice for them?

A. If men pray behind women, then the scholars say that there is no objection. But this contradicts the *Sunnah,* because the *Sunnah* is that the women should be behind the men, except that in the Sacred *Masjid* where there is crowding and restriction of movement. Women come and form rows, and men come after them and form rows behind them. It is incumbent upon the worshipper to guard against this, as much as he can, because it might result in *Fitnah* for the men. So, a person should avoid praying behind women, even though it may be permissible according to what the scholars of Islamic

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[1] Reported by Abu Dawud in the Book of Prayer, in the Chapter: Raising the Voice During Recitation in the Night Prayer (1332).

Jurisprudence have determined. We say: It is desirable for a person to avoid this as much as he is able, and it is desirable for women also not to pray in places near to the men.

Q. 230. Is it permissible to remove a young boy from his place in the row?

A. The correct view is that it is not permissible to remove a young boy from his place in the row. This is according to the *Hadith* of Ibn 'Umar, may Allâh be pleased with him, in which it is stated that the Prophet ﷺ said:

«لَا يُقِيمُ الرَّجُلُ الرَّجُلَ مِنْ مَقْعَدِهِ ثُمَّ يَجْلِسُ فِيهِ»

"A man should not make another man stand up from his place then sit in it."[1]

It also involves violating the rights of the young boy, discouraging him (from praying), arousing an aversion to prayer in him, and planting seeds of hatred and jealousy in his heart.

Also, if we said that it is permissible to pull a young boy back to the last row, they would all be gathered in one row and it would result in them playing and indulging in horseplay during prayer. But there is no objection to removing him from his place in order to separate them if it is feared that they will play.

Q. 231. What is the ruling on prayer between the pillars?

A. Praying between the pillars is permissible when there is crowding, but when there is room, one should not pray between the pillars, because it severs the rows. Written on 29/1/1419 A. H.

[1] Reported by Al-Bukhari in the Book of Friday Prayers, in the Chapter: A man should not make another man stand up from his place then sit in it (911); and by Muslim in the Book of Salutations, in Chapter 11: The Forbiddance of Making a Person Stand up From His Rightful Place Which Was Previously His.

Q. 232. What is the ruling on the women's rows? Is the worst of them the first of them and the best of them the last of them in all circumstances, or when there is no screen between the men and the women?

A. What is meant is that if the men are with the women in one place, then the last of the women's rows is better than the first of them. The Prophet ﷺ said:

«خَيْرُ صُفُوفِ النِّسَاءِ آخِرُهَا ، وَشَرُّهَا أَوَّلُهَا»

"The best of the women's rows is the last of them and the worst of them is the first of them."[1]

The only reason that this is so, is because the last of them is farthest from the men and the first of them is nearest to the men.

But if there is a private place for them, as there is now in most *Masjids*, then the best of the women's rows is the first of them, as is the case with men.

Q. 233. What is the ruling on the prayer of one who prays outside the *Masjid*, such as one who prays in the road adjacent to the *Masjid*?

A. If a *Masjid* is not large enough for the worshippers, and they pray in the roads adjacent to it, then there is no objection, as long as they are able to follow the *Imam*, because this is necessary. Written on 6/6/1413 A. H.

Q. 234. What is prescribed regarding the straightening of the rows? Is it legislated for the worshipper to connect his ankle to the ankle of the person next to him? Deliver a verdict for us and may you be rewarded.

[1] Reported by Muslim in the Book of Prayer, in Chapter 28: Straightening the Rows 1:326:132 (440).

A. The correct opinion is that what is prescribed regarding straightening the rows is for the ankles to be parallel to each other, not the tips of the toes. This is because the body is mounted upon the ankles, while toes differ according to the size of the feet, for there are big feet and small feet, therefore it is not possible to precisely straighten the rows except by the ankles.

As for connecting the ankles, each of them next to the other, there is no doubt that it has been reported from the Companions, may Allâh be pleased with them, for they used to straighten the rows by connecting the ankles, each of them next to the other.[1] That is, that each of them would connect his ankle to the ankle of his neighbor, so that they would be parallel and the rows would be straight. And it (i.e. the connecting of the ankles) is not an aim in itself; rather the aim is something other than this (i.e. the straightening of the rows), as the scholars have said. Therefore, if the rows are completed and the people are standing, then it is an obligation on each of them to connect his ankle to the ankle of his companion, in order to achieve straight rows; and the meaning of this is not that he should tenaciously insist on connecting the ankles and keeping them connected throughout the whole of the prayer.

This is a form of excessiveness in this matter as some of the people do, which is that they connect ankle-to-ankle with their companions and spread their feet wide, so that there are spaces between their shoulders and those of their neighbors, thereby contradicting the *Sunnah*; and the aim is that the ankles be straight.

Q. 235. Is raising the hands in places other than the four (well known) places confirmed? And likewise in the

[1] There is an indication of this in the words of Anas bin Malik, may Allah be pleased with him, who said: "Each of us would connect his shoulder to the shoulder of his companion and his foot to his foot." (Reported by Al-Bukhari in the Book of the *Athan*, in Chapter 76: Connecting the Shoulders (725).

funeral prayer and the *'Eid* prayers?

A. First of all, we must know the four places in which the hands are raised: (They are) upon making the opening *Takbir*, upon bowing, upon straightening up from bowing and upon standing up from the first *Tashahhud*. These are the four places whose authenticity has been confirmed by the *Hadith* from the Messenger of Allâh ﷺ, reported on the authority of Ibn 'Umar, may Allâh be pleased with him, who said:

> *"The Prophet ﷺ used to raise his hands when he made Takbir for the prayer, when he made Takbir for the Ruku', when he said: 'Allâh hears the one who praises him.' And he did not do so in prostration."*[1]

If Ibn 'Umar, may Allâh be pleased with him, who was very careful about following the actions of the Messenger ﷺ – and indeed, he used to follow him – and he saw him raising his hands in *Takbir* in the *Ruku'*, when straightening up from it and when standing up from the first *Tashahhud* and he said: "And he did not do so in prostration," then it may not be said that (raising the hands during prostration) falls under the heading of accepting the affirmative over the negation, and that when a person affirms raising the hands, he is giving precedence to the affirmative over the negation in the *Hadith* of Ibn 'Umar, may Allâh be pleased with him. This is because it is clear from the *Hadith* of Ibn 'Umar that he was positive that he did not raise his hands. So, a person who witnessed him raising his hands when he bowed and raising his hands when straightening up from bowing and then says: He did not do that in prostration, can we say that it is possible that he was inattentive or did not notice? That is not possible, because he was positive that he did

[1] Reported by Al-Bukhari in the Book of the *Athan*, in Chapter 83: Raising the Hands in the First *Takbir* at the Opening of the Prayer (735); and by Muslim in the Book of Prayer, in Chapter 9: The Recommendation of Raising the Hands 21 and 22 (390).

not do it in prostration and he was positive that he did it when bowing and straightening up from it.

Q. 236. If a person praying behind the *Imam* caught the prayer while the *Imam* was bowing, should he make the *Takbir* twice?

A. If a person enters while the *Imam* is bowing, then he makes the opening *Takbir*, he should bow immediately and his *Takbir* for the *Ruku '* in that case is a *Sunnah* and not an obligation. If he makes *Takbir* for the *Ruku'*, it is better, but if he leaves it, there is no sin upon him.

After that, he will be in one of the following three situations:

1. That he is certain that he reached the *Ruku'* before the *Imam* straightened up from it, in which case, he will have caught the *Rak'ah* and he is not required to recite *Surat Al-Fatihah* in these circumstances.

2. That he is certain that the *Imam* straightened up from the *Ruku'* before he reached it, in which case, he will have missed the *Rak'ah* and he must make up for it.

3. That he is uncertain and in doubt as to whether he caught the *Imam* while he was bowing or whether the *Imam* had straightened up before he caught him. In this situation, he should base his action on what he thinks is most likely, and if it seems more likely to him that he caught the *Imam* in the *Ruku'*, then he has caught the *Rak'ah*. If it seems more likely to him that he did not catch the *Imam* in the *Ruku'*, then he has missed the *Rak'ah*. In this situation, if he has missed something from the prayer, he must perform the prostration of forgetfulness after making the *Taslim*. If he did not miss anything of the prayer, such as if the *Rak'ah* about which he was in doubt was the first *Rak'ah*, and he thought it more likely that he had caught it, then in this situation, the prostration of forgetfulness is not necessary, due to his prayer being bound to that of the

Imam. The *Imam* takes the responsibility for the prostration of forgetfulness for the one who is being led in prayer, so long as he did not miss anything of the prayer.

There is another situation of doubt which occurs, and this is when a person is uncertain whether he caught the *Imam* while he was bowing, but he is unable to say which was more likely. In this situation, he should base his action upon what he is certain of, which is that he did not catch the *Imam* in *Ruku'*, because that is the basic principle. In which case, he will have missed the *Rak'ah* and he must perform the prostration of forgetfulness before the *Taslim*.

There is still another matter which I would like to bring to your attention in regard to this. Many people, when they enter the *Masjid* while the *Imam* is bowing, begin to loudly and repeatedly clear their throats and possibly even speak, saying: 'Verily, Allâh is with the patient ones,' or they might stamp their feet and all of these things are in contradiction to the *Sunnah*. It also disturbs the *Imam* and the worshippers. There are those among the people who, if they enter the *Masjid* while the *Imam* is bowing, rush in a most unseemly way. The Prophet ﷺ prohibited this, saying:

«إِذَا سَمِعْتُمُ الْإِقَامَةَ فَامْشُوا إِلَى الصَّلَاةِ وَعَلَيْكُمُ السَّكِينَةَ وَالْوَقَارَ، وَلَا تُسْرِعُوا، فَمَا أَدْرَكْتُمْ فَصَلُّوا، وَمَا فَاتَكُمْ فَأَتِمُّوا»

"If you hear the Iqamah, then walk to the prayer and do so with calmness and tranquility, and do not hurry. Then, whatever you catch of the prayer, pray it and whatever you have missed, complete it."[1]

Q. 237. What is the ruling on placing the right hand over the left hand on the chest, or over the heart? What is the ruling on placing the hands below the navel? Is there a difference between a man and a woman?

[1] The reference for this *Hadith* was mentioned previously under no. 224.

A. The ruling on placing the right hand over the left hand in prayer is that it is a *Sunnah*, according to the *Hadith* of Sahl bin Sa'd, may Allâh be pleased with him, who said:

> *"The people were ordered that a man should place his right hand over his left forearm in prayer."*[1]

But where should they be placed?

The answer is: The most correct opinion in this matter is that they should be placed on the chest, according to the *Hadith* of Wa'il bin Hujr, may Allâh be pleased with him. He said that the Prophet ﷺ used to place his right hand over his left hand on his chest.[2] And although there is some weakness in the *Hadith*, it is more authentic than others.

As for placing them over the heart on the left side, this is an innovation without any basis.

As for placing them below the navel, this has been reported in a narration from 'Ali, may Allâh be pleased with him,[3] but it is weak, and the *Hadith* of Wa'il bin Hujr is stronger than it.

There is no difference in this ruling between men and women. The basic principle is conformity between a man and a woman in this ruling, unless some evidence is established for a distinction or a difference between them, and I do not know of any authentic evidence distinguishing between a man and a woman in this *Sunnah*.

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[1] Reported by Al-Bukhari in the Book of the *Athan*, in the Chapter: Placing the Right Hand Over the Left (740).

[2] Reported by Ibn Khuzaimah in the Book of Prayer, in the Chapter: Placing the Right Hand Over the Left (479); and by Al-Baihaqi (2:30)

[3] Reported by Imam Ahmad 1:110; and by Abu Dawud in the Book of Prayer, in the Chapter: Placing the Right Hand Over the Left in Prayer (756).

Q. 238. What is the ruling on pronouncing the *Basmalah*[1] aloud?

A. The most authoritative opinion is that the *Basmalah* should not be recited aloud and that the *Sunnah* is to recite it quietly. It is not a part of *Surat Al-Fatihah*, but if it is recited aloud at times, there is no sin. Indeed, some of the scholars have said that it is desirable to say it aloud sometimes, because it has been reported from the Prophet ﷺ that: He used to recite it aloud. [2]

But what has been authenticated from him ﷺ is that: He did not recite it aloud.[3] That is what is more desirable. But if a person recited it aloud in order to unify the people whose *Mathhab* is to recite it aloud, then I hope that there would be no objection to it.

Q. 239. What is the ruling on the opening supplication?

A. The opening supplication is a *Sunnah* and not an obligation, neither in the obligatory prayers nor in the supererogatory prayers.

What is desirable is to recite all of the supplications which have been reported from the Prophet ﷺ for the opening supplication. Sometimes reciting this one, and sometimes reciting that one. In this way, he will implement the *Sunnah* in all its forms. If he

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[1] *Basmalah*: Saying: *Bismillah* (In the Name of Allah).

[2] Reported by An-Nasa'i in the Book of *Al-Iftitah*, in the Chapter: The Recitation of *Bismillahir-Rahmanir-Rahim* (904); and by Ibn Hibban (1788); and by Ibn Khuzaimah (499); and by Ad-Daraqutni 1:305; and by Al-Baihaqi 2:46 and 58.

[3] Reported by Anas bin Malik, may Allah be pleased with him, who said: "I prayed behind the Messenger of Allah ﷺ and behind Abu Bakr and behind 'Umar and I did not hear any of them recite *Bismillahir-Rahmanir-Rahim*." Reported by Muslim in the Book of Prayer, in the Chapter: The Evidence of Those Who Say That the *Basmalah* is not Recited Aloud (399).

only knows one form of the *Sunnah,* and he restricts himself to it, there is no sin, because it is clear that the Messenger ﷺ used to vary in his opening supplication as well as *At-Tashahhud,* in order to make things easy for the worshippers. Likewise in the statements of remembrance after prayer, there are two benefits to the Messenger ﷺ varying with this:

1. That a person does not continue with one type. Because if a person continues with one type, his recitation of this one will become as if it were something commonplace, which is why if he was careless, he would find himself reciting this statement of remembrance, even if it were without intention. Because it had become something commonplace, whereas if the statements of remembrance were varied, a person will sometimes recite this one and sometimes that one, and thus he would recite them with more presence of heart and he would be more likely to understand what he was saying.

2. To make it easier for the people, since a person might sometimes recite this one and sometimes that one, according to what was suitable for him.

So for the sake of these two benefits, some acts of worship are performed in various manners, such as the opening supplication, the *Tashahhud* and the statements of remembrance after the prayer.

Q. 240. Is saying *Ameen* a *Sunnah*?

A. Yes, saying *Ameen* is a highly recommended *Sunnah,* especially if the *Imam* says it. This is according to what has been reported in the *Two Sahihs* in the *Hadith* of Abu Hurairah, may Allâh be pleased with him, who reported that the Messenger of Allâh ﷺ said:

«إِذَا أَمَّنَ الْإِمَامُ فَأَمِّنُوا، فَإِنَّ مَنْ وَافَقَ تَأْمِينُهُ تَأْمِينَ الْمَلَائِكَةِ غُفِرَ لَهُ مَا تَقَدَّمَ مِنْ ذَنْبِهِ»

"If the Imam says, Ameen, then you say, Ameen, because if a person's saying Ameen coincided with the angels' saying of Ameen, all of his previous sins will be forgiven."[1]

Saying *Ameen* for the *Imam* and the worshippers should be at one time, according to the words of the Prophet ﷺ:

«إِذَا قَالَ الْإِمَامُ: وَلَا الضَّالِّينَ فَقُولُوا: آمِينَ»

"If the Imam says: 'Nor those who went astray,' then you say: Ameen."[2]

Q. 241. When the *Imam* recites:

﴿إِيَّاكَ نَعْبُدُ وَإِيَّاكَ نَسْتَعِينُ﴾

"You (Alone) we worship, and You (Alone) we ask for help (for each and everything)"

Some of those being led in prayer say: 'We have sought help from Allâh.' What is the ruling on this?

A. It is prescribed for the one being led in prayer to be silent while his *Imam* is reciting, so if he finishes reciting *Surat Al-Fatihah*, the *Imam* should say: *Ameen* and the worshippers should say it with him. Saying this negates the requirement for a person to say anything else during the *Imam's* recitation of *Surat Al-Fatihah*.

Q. 242. What is the ruling on reciting *Surat Al-Fatihah* in prayer?

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[1] Reported by Al-Bukhari in the Book of the *Athan*, in Chapter 111: The *Imam's* Saying *Ameen* Aloud (782); and by Muslim in the Book of Prayer, in the Chapter: *At-Tasmi'* (Saying: *Sami' Allahu Liman Hamidah*), *At-Tahmid* (Saying: *Rabbana Wa Lakal-Hamd*) and *At-Ta'meen* (Saying: *Ameen*).

[2] Reported by Al-Bukhari in the Book of the *Athan*, in Chapter 113: The One Being Led in Prayer Saying *Ameen* Aloud (782); and by Muslim in the aforementioned location 76 (410).

A. Scholars have differed regarding the recitation of *Surat Al-Fatihah*, holding numerous opinions on it:

1. That *Surat Al-Fatihah* is not an obligation upon the *Imam*, nor upon those who are being led in prayer, nor upon the single worshipper, neither in the quiet prayers nor in those in which the recitation is made aloud. What is obligatory is the recitation of whatever Qur'ânic Verses are easy for the worshipper. As evidence for this view, they cite the Words of Allâh, the Most High in *Surat Al-Muzzammil*:

﴿فَاقْرَءُوا مَا تَيَسَّرَ مِنَ الْقُرْءَانِ﴾

"So, recite you of the Qur'an as much as may be easy for you."[1]

And the Prophet ﷺ said to a man:

«اقْرَأْ مَا تَيَسَّرَ مَعَكَ مِنَ الْقُرْآنِ»

"Recite whatever is easy for you from the Qur'ân."[2]

2. That the recitation of *Surat Al-Fatihah* is a pillar of the prayer for the *Imam*, for those being led in prayer and for the single worshipper, both in the quiet prayers and those in which the recitation is made aloud, and both the latecomer and the one who joined the congregation at the beginning of the prayer.

3. That the recitation of *Surat Al-Fatihah* is a pillar of the prayer for the *Imam* and the single worshipper, but that it is not an obligation upon the one being led in prayer under any circumstances, neither in the quiet prayers nor those in which the recitation is made aloud.

4. That the recitation of *Surat Al-Fatihah* is a pillar of the prayer

[1] *Al-Muzzammil* 73:20

[2] Reported by Al-Bukhari in the Book of the *Athan*, in the Chapter: The Obligation of Recitation for the *Imam* and Those Being Led in Prayer (757); and by Muslim in the Book of Prayer, in the Chapter: The Obligation to Recite *Al-Fatihah* in Every *Rak'ah* (397).

for the *Imam* and the single worshipper in the quiet prayers and those in which the recitation is made aloud, and a pillar of the prayer for the one being led in prayer in the quiet prayers, but not the prayers in which recitation is made aloud.

The Most Correct View in My Opinion is that the recitation of *Surat Al-Fatihah* is a pillar of the prayer for the *Imam*, for the one being led in prayer and for the single worshipper, both in the quiet prayers and in the prayers in which the recitation is made aloud, except for the latecomer, if he catches the *Imam* in *Ruku'*. In his case the recitation of *Surat Al-Fatihah* is not required in these circumstances. The evidence for this is the generality of the words of the Prophet ﷺ:

«لَا صَلَاةَ لِمَنْ لَمْ يَقْرَأْ بِفَاتِحَةِ الْكِتَابِ»

"There is no prayer for one who does not recite the Opening of the Book (i.e. Surat Al-Fatihah)."[1]

And the words of the Prophet ﷺ:

«مَنْ صَلَّى صَلَاةً لَمْ يَقْرَأْ فِيهَا بِأُمِّ الْقُرْآنِ فَهِيَ خِدَاجٌ»

"Whoever prayed and did not recite therein Ummul-Qur'ân (i.e. *Surat Al-Fatihah), it is Khidaj."*[2]

Meaning that it is corrupt and this is general. What also proves this is the *Hadith* of 'Ubadah bin As-Samit, may Allâh be pleased with him, in which he said that the Prophet ﷺ went out from the morning prayer and said to his Companions:

«لَعَلَّكُمْ تَقْرَؤُونَ خَلْفَ إِمَامِكُمْ؟»

"Perhaps you recite behind your Imam?"

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[1] Reported by Al-Bukhari in the Book of the *Athan*, in the Chapter: The Obligation of Recitation (756); and by Muslim in the Book of Prayer, in the Chapter: The Obligation to Recite *Al-Fatihah* (395).

[2] Reported by Muslim in the Book of Prayer, in the Chapter: The Obligation to Recite *Al-Fatihah* (395).

They said: "Yes, oh, Messenger of Allâh." He said:

«لَا تَفْعَلُوا إِلَّا بِأُمِّ الْقُرْآنِ، فَإِنَّهُ لَا صَلَاةَ لِمَنْ لَمْ يَقْرَأْ بِهَا»

"Do not do so, except for Ummul-Qur'ân, for there is no prayer for one who does not recite it."[1]

And this was narrated regarding the prayers in which the recitation is made aloud.

As for its not being required for the latecomer, the evidence for that is the *Hadith* of Abu Bakrah, may Allâh be pleased with him, who caught the Prophet ﷺ in *Ruku'*. He hastened and bowed before reaching the row, then he entered the row. Then when the Prophet ﷺ finished the prayer, he asked about who had done that and Abu Bakrah said: "I, oh, Messenger of Allâh." The Prophet ﷺ said:

«زَادَكَ اللهُ حِرْصًا وَلَا تَعُدْ»

"May Allâh increase you in striving, but do not do it again."[2]

The Prophet ﷺ did not order him to repeat the *Rak'ah* in which he was hasty due to his desire not to miss it. If it was obligatory for him, the Prophet ﷺ would have ordered him to do it, as he ordered the one who prayed without being at rest to repeat his prayer. This is from the narrated evidence.

As for the logical evidence, we say: This man who came late did not catch the standing which is the place of the recitation of *Surat Al-Fatihah*, and since he did not catch the place, the obligations therein are lifted from him. The evidence for which

[1] Reported by Imam Ahmad 5:316; by Abu Dawud in the Book of Prayer, in the Chapter: Whoever Did not Recite in the Prayer (823); by At-Tirmithi in the Book of Prayer, in the Chapter: What Has Been Said Regarding Recitation Behind the *Imam*; by Al-Hakim 1:238 and 239; and by Ad-Daraqutni 1:120.

[2] The reference for this *Hadith* was mentioned previously under no. 226.

is that a person whose hand has been cut off is not required to wash the upper arm in place of the forearm; rather the obligation is lifted from him, due to the loss of its place. Likewise, the obligation to recite *Surat Al-Fatihah* is lifted from one who caught the *Imam* while he was in *Ruku'*, because he did not catch the standing which is the place of the recitation of *Surat Al-Fatihah*; and the obligation of the standing is only lifted from him in order that he may follow the *Imam*.

This, in my view is the correct opinion. Were it not for the *Hadith* of 'Ubadah bin As-Samit which I indicated a short while ago, the most authoritative view would be that the recitation of *Surat Al-Fatihah* is not required by one being led in a prayer in which the recitation is made aloud. This is because the listener is like the reciter regarding the attainment of reward, which is why Allâh, the Most High said to Musa, peace be upon him:

﴿قَدْ أُجِيبَت دَّعْوَتُكُمَا﴾

"Verily, the invocation of you both is accepted."[1]

Even though the supplicator was Musa alone. Allâh, the Most High said:

﴿وَقَالَ مُوسَىٰ رَبَّنَآ إِنَّكَ ءَاتَيْتَ فِرْعَوْنَ وَمَلَأَهُۥ زِينَةً وَأَمْوَٰلًا فِى ٱلْحَيَوٰةِ ٱلدُّنْيَا رَبَّنَا لِيُضِلُّوا۟ عَن سَبِيلِكَ رَبَّنَا ٱطْمِسْ عَلَىٰٓ أَمْوَٰلِهِمْ وَٱشْدُدْ عَلَىٰ قُلُوبِهِمْ فَلَا يُؤْمِنُوا۟ حَتَّىٰ يَرَوُا۟ ٱلْعَذَابَ ٱلْأَلِيمَ﴾

"And Musa (Moses) said: 'Our Lord! You have indeed bestowed on Fir'awn (Pharaoh) and his chiefs splendor and wealth in the life of this world, our Lord! That they may lead men astray from Your path. Our Lord! Destroy their wealth, and harden their hearts, so that they will not believe until they see the painful torment.'"[2]

And did Allâh inform us that Harun, peace be upon him,

[1] *Yunus* 10:89
[2] *Yunus* 10:88

supplicated? The answer is no, but in spite of that, He said:

﴿قَدْ أُجِيبَت دَّعْوَتُكُمَا﴾

"Verily, the invocation of you both is accepted."

The scholars said regarding the use of the dual after the singular: Musa supplicated and Harun believed.

As for the *Hadith* of Abu Hurairah, may Allâh be pleased with him, in which it was said:

«مَنْ كَانَ لَهُ إِمَامٌ فَقِرَاءَةُ الْإِمَامِ لَهُ قِرَاءَةٌ»

"Whoever was being led by an Imam, the recitation of the Imam is a recitation for him."[1]

It is weak, because it is a *Mursal*[2] narration, as Ibn Kathir said, in the introduction to his *Tafsir*. Also, those who cite this *Hadith* as evidence do not do so unrestrictedly, because some of those who cite it as evidence say that the one who is being led in prayer is required to recite *Surat Al-Fatihah* in the quiet prayers, so they do not follow it unrestrictedly.

If it were said: If the *Imam* does not remain silent, then when should the one being led in prayer recite *Surat Al-Fatihah*? We say: He should recite *Surat Al-Fatihah* while the *Imam* is reciting, because the Companions used to recite with the Messenger ﷺ while he was reciting, for he said:

«لَا تَفْعَلُوا إِلَّا بِأُمِّ الْقُرْآنِ، فَإِنَّهُ لَا صَلَاةَ لِمَنْ لَمْ يَقْرَأْ بِهَا»

"Do not do so, except for Ummul-Qur'ân, for there is no prayer for one who does not recite it."[3]

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[1] Reported by Imam Ahmad 3:339; and by Ibn Majah in the Book of the *Iqamah*.

[2] *Mursal*: An incomplete chain of narrators which goes back only as far as a *Tabi'i* (one who heard from one or more of the Companions) and so could not have narrated directly from the Prophet ﷺ.

[3] The reference for this *Hadith* was mentioned previously on page.

Q. 243. When should the one being led in prayer recite *Surat Al-Fatihah*, with the *Imam's* recitation of it, or when he is reciting the *Surah*?

A. It is preferable for the recitation of *Surat Al-Fatihah* by the one being led in prayer to be after its recitation by the *Imam*. In this way he can listen to the obligatory recitation that is a pillar of the prayer. For if he recited *Surat Al-Fatihah* while the *Imam* was reciting it, he would not have listened to the pillar; and his listening would be to the recitation after *Surat Al-Fatihah*, which is a voluntary act. So, it is preferable to be silent for the recitation of *Surat Al-Fatihah*, because listening to a recitation which is a pillar is more important than listening to a *Sunnah*. This is one aspect. Another aspect is that if the *Imam* said:



"Nor those who are astray."

and you were not following him, then you would not say: *Ameen* and in that case you would not be included in the congregation, so it is preferable to do this (i.e. to recite *Surat Al-Fatihah* after the *Imam* has completed his recitation of it).

Q. 244. How can we achieve humility in prayer, when reciting the Qur'ân in prayer and at other times?

A. Humility is the essence and core of the prayer. The meaning of it is presence of the heart, and that the heart of the believer does not wander here and there. If a person feels that something is distracting him from humility, he should seek refuge with Allâh from the accursed Satan as commanded by the Prophet ﷺ.[1] There is no doubt that Satan strives to spoil all acts of worship, especially the prayer, which is the best act of

[1] Reported by Muslim in the Book of Salutations, in Chapter 25: Seeking Refuge From the Devil of Whispering in Prayer 4:1728, *Hadith* 68 (2203).

worship after the *Shahadatan*; so a worshipper comes to offer prayers and he says: Remember such and such, remember such and such,[1] and he makes him abandon himself to foolish thoughts in which there is no benefit, causing him to only be concerned with finishing the prayer.

So, it is incumbent upon a person to take the utmost care when approaching Allâh, the Almighty, the All-Powerful. If he senses some of these empty thoughts and whisperings, he should seek refuge with Allâh from the accursed Satan, whether he is bowing, in *Tashahhud*, sitting or any other position in prayer.

One of the best means of helping him to attain humility in prayer is to call to mind that he is standing before Allâh and that he is confiding in his Lord, the Almighty, the All-Powerful.

Q. 245. Has it been reported that the Prophet ﷺ used to be silent between the recitation of *Surat Al-Fatihah* and the recitation of the *Surah* after it?

A. The silence between the recitation of *Surat Al-Fatihah* and the recitation of the *Surah* has not been reported from the Prophet ﷺ in the manner claimed by some of the scholars of Islamic Jurisprudence. That is, that the *Imam* remains silent long enough for the one being led in prayer to recite *Surat Al-Fatihah*; it is only a short pause in which to take breath on the one hand, and on the other hand, it opens the door for the one being led in prayer, so that he may begin to recite and to complete it, even though the *Imam* may be reciting; so it is a short pause, not a long one.

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[1] This is a part of the *Hadith* of Abu Hurairah, may Allah be pleased with him, whose authenticity is agreed upon (by Al-Bukhari and Muslim): It was reported by Al-Bukhari in the Book of the *Athan*, in the Chapter: The Virtue of Calling the *Athan*, *Hadith* 608; and by Muslim in the Book of Prayer, in the Chapter: The Virtue of the *Athan* and the Flight of Satan When He Hears it 1:291, *Hadith* 19 (389).

Q. 246. If a person misses a *Rak'ah* from the *Fajr* prayer, should he complete it reciting audibly, or quietly?

A. He may choose to do either, but it is better to complete it quietly, because there might be someone else completing his prayer and it would disturb him if he recited aloud.

Q. 247. I read in a book regarding the manner of the prayer of the Prophet ﷺ that placing the hands on the chest after straightening up from *Ruku'* is an innovation and a misguidance; what is the correct position, may Allâh reward you with goodness for guiding us and all of the Muslims?

A. Firstly: I avoid saying that one who contradicts the *Sunnah* in a matter in which it is permissible to exercise *Ijtihad* is an innovator. So those who place their hands on their chests after rising from *Ruku'* are only basing this opinion of theirs upon evidence from the *Sunnah*. For us to say that it is an innovation because it contradicts our *Ijtihad* is very hard upon a person and it is not fitting for a person to apply the word innovation in matters such as this. This will lead to people labelling each other as innovators in matters of *Ijtihad*, in which the truth might be this opinion or that opinion; and it will cause splitting into sects and conflicts to a degree only Allâh knows.

Therefore, I say that describing one who places his hands on his chest after bowing as an innovator, and his action as an innovation, is very hard upon a person and it is not fitting that his brothers should describe him thus.

The correct opinion is that placing the right hand over the left after straightening up from *Ruku'* is a *Sunnah*, the evidence for which is the *Hadith* confirmed in *Sahih Al-Bukhari*, on the authority of Sahl bin Sa'd, may Allâh be pleased with him, who said: The people were ordered that a man should place his right

hand over his left forearm in prayer. [1]

The evidential aspect of the *Hadith* is derived from investigating it and studying it, for we say: Where are the hands placed during prostration? And the answer is: On the ground. And we say: Where are they placed during *Ruku'*? And the answer is: On the knees. And we say: Where are the hands placed when sitting? And the answer is: On the thighs. And so the situation when one is standing both before and after the *Ruku'* is still covered by the words of Sahl, may Allâh be pleased with him: The people were ordered that a man should place his right hand over his left forearm in prayer. Therefore, the *Hadith* proves that the right hand is placed over the left hand when standing both before and after the *Ruku* and this is the truth which is proven by the *Sunnah* of the Prophet ﷺ. So, the answer to this question consists of two parts:

1. That it is not fitting for us to be careless about applying the word innovation to an action in which there is room for *Ijtihad*.

2. The correct opinion is that placing the right hand over the left hand after rising from *Ruku'* is a *Sunnah* and not an innovation, as is proven by the *Hadith* which we have mentioned, which is the *Hadith* of Sahl bin Sa'd, may Allâh be pleased with him, because it is general; but excluded from it are *Ruku'*, prostration, and sitting, because the *Sunnah* has determined a particular place for the hands in these positions.

Q. 248. Some people add the words: *Wash-Shukr* (and thanks) after saying: *Rabbana Wa Lakal-Hamd* (Our Lord, all praise is due to You). What is the opinion of Your Eminence regarding this?

A. There is no doubt that confining oneself to what has been reported is preferable, so if a person straightens up from *Ruku'*,

[1] The reference for this *Hadith* has been mentioned previously on page

he should say: 'Our Lord, all praise is due to You,' and he should not add the words: 'And thanks,' because they have not been reported.

I would like to take this opportunity to say that the forms which have been reported regarding this matter are four in number:

1. *Rabbana Wa Lakal-Hamd.*
2. *Rabbana Lakal-Hamd.*
3. *Allâhumma Rabbana Lakal-Hamd.*
4. *Allâhumma Rabbana Wa Lakal-Hamd.*

These four forms may be said, but not all at once; rather you should say this one once and that one once; in some of your prayers, you should say *Rabbana Wa Lakal-Hamd* and in other prayers, you should say *Rabbana Lakal-Hamd* and in others, you should say *Allâhumma Rabbana Lakal-Hamd* and in others, you should say *Allâhumma Rabbana Wa Lakal-Hamd.* But as for the words: *Wash-Shukr,* they have not been reported, therefore it is better not to say them.

Q. 249. What is the correct manner of going down into prostration?

A. Prostration should be on the knees first and then the hands. This is because the Prophet ﷺ forbade a person from prostrating on his hands in his words:

«إِذَا سَجَدَ أَحَدُكُمْ فَلَا يَبْرُكْ كَمَا يَبْرُكُ الْبَعِيرُ، وَلْيَضَعْ يَدَيْهِ قَبْلَ رُكْبَتَيْهِ»

"When one of you prostrates, he should not kneel as a camel kneels, but should place his hands before his knees."[1]

[1] Reported by Imam Ahmad 2:381, by Abu Dawud in the Book of Prayer, in the Chapter: How He Placed His Knees Before His Hands (840).

This is the wording of the *Hadith*, but we shall speak about it: This first sentence:

«فَلَا يَبْرُكْ كَمَا يَبْرُكُ الْبَعِيرُ»

"he should not kneel as a camel kneels."

is a prohibition of the manner of *Sujud*, because he ﷺ has used the expression: As a camel kneels. It is not a prohibition of the limbs upon which one prostrates; if what was intended here was a prohibition of the limbs upon which one prostrates, he would have said: He should not kneel on the limbs which a camel kneels upon, and in that case, we would say: Do not kneel on the knees, because a camel kneels on its knees. But the Prophet ﷺ did not say: he should not kneel on the limbs which a camel kneels upon, rather he said:

«فَلَا يَبْرُكْ كَمَا يَبْرُكُ الْبَعِيرُ»

"he should not kneel as a camel kneels."

So, the prohibition is of the manner and the description, not of the limbs upon which he prostrates.

This is why Ibn Qayyim, may Allâh have mercy on him, said in *Zadul-Ma'ad*[1] that the end of the *Hadith* was transmitted in a reversed fashion by the narrator, and so the end of the *Hadith* should be: But should place his knees before his hands, since if he placed his hands before his knees, he would be kneeling as the camel kneels, because when the camel kneels, it begins with its forelegs; and that is clear to anyone who has witnessed a camel kneeling.

In that case, the correct opinion, if we wish the beginning and end of the *Hadith* to accord is: But should place his knees before his hands, because if he placed his hands before his knees, as I said, he would be kneeling as the camel kneels and in that case,

[1] *Zadul-Ma'ad* 1:215.

the beginning of the *Hadith* and the end of it would be contradictory.

One brother has written a book entitled: *Fath Al-Ma'bud Fi Wadh' Ar-Rukbataini Qabl Al-Yadaini Fis-Sujud* and it is a well-written and informative work.

Based upon this, the *Sunnah* which the Messenger ﷺ ordered in *Sujud* is to place the knees before the hands.

Q. 250. What is the ruling on stretching excessively in the *Sujud*?

A. Stretching excessively in the *Sujud* is contrary to the *Sunnah*, because none of those who have described the prayer of the Prophet ﷺ have said that he used to stretch his back when performing *Sujud*, as they said that he did when performing *Ruku'*.[1] What is prescribed at the time of *Sujud* is only for a person to lift his stomach off his thighs and raise it thereby, not to stretch it, as some of the people do.

Q. 251. Has it been reported regarding the mark on the forehead which is caused by *Sujud* that it is a mark of the righteous?

A. This is not a mark of the righteous; the mark of the righteous is only the light which is seen in the face, the expansion of the heart, good character and such like. As for the mark on the face which is cause by *Sujud*, it might be seen on

[1] Reported by Al-Bukhari in his *Sahih*, on the authority of Abu Humaid, may Allah be pleased with him, who said: "The Prophet ﷺ bowed, then he spread his back." The Book of the *Athan*, in the Chapter: Making the Back Level in *Ruku'* (758); and it was reported by Muslim in his *Sahih*, on the authority of 'Aishah, may Allah be pleased with her, who said: "And when he bowed, he did not used to let his head droop, nor raise it (higher than his back)." The Book of Prayer, in the Chapter: The Description of *Ruku'* and Straightening up From it (498).

the faces of those who only offer the obligatory prayers due to the delicateness of their skin, and it might not be seen in the face of one who prays much and lengthens his *Sujud*.

Q. 252. Has any authentic *Hadith* been reported concerning the movement of the forefinger between the two prostrations in prayer?

A. Yes, the *Hadith* has been reported which is in *Sahih Muslim*, on the authority of Ibn 'Umar, may Allâh be pleased with them, in which he said that when the Prophet ﷺ sat in prayer and mentioned Allâh, he would point with his finger.[1] And in another version: When he sat in the *Tashahhud*.[2]

The first wording is general and the second is specific, and the rule is that mentioning the specific with a ruling that agrees with the general does not necessitate particularization. An example of this is that one man says to another: You should respect students of knowledge. And he says to him: You should respect Muhammad, and Muhammad is one of the students of knowledge. This does not necessitate that he does not respect the other students of knowledge. The scholars of *Usul* have written about this, and Shaikh Ash-Shanqeeti, may Allâh have mercy on him, has mentioned it in *Adhwa' Al-Bayan*. But if he said: You should respect the students, then he said: Do not respect those who sleep in the lessons, this necessitates particularization, because it was mentioned with a ruling which contradicts the general ruling.

Also, there is a particular *Hadith* in this matter which was reported by Imam Ahmad in his *Musnad* with a chain of narrators about which the author of *Al-Fath Ar-Rabbani* said: Its

[1] Reported by Muslim in the Book of *Masjids*, in the Chapter: The Description of the Sitting in Prayer (1:408) 114 and 115, 580.

[2] The previous location 115.

chain of narrators is *Hasan*.[1] And one of the commentators on *Zadul-Ma'ad*[2] said: Its chain of narrators is authentic. When the Messenger of Allâh sat between the two prostrations, he would make a fist with his fingers and point with the forefinger. And whoever said that he did not move it, we say to him: Then what did he do with the right hand? If you say that he used to spread it on his thigh, then we request you to provide an evidence, for it has not been reported in the *Ahadith* that he used to spread his right hand on his thigh. And if he had spread it, the Companions, may Allâh be pleased with them, would have made clear that he did so, as they made clear that he used to spread his left hand on his left thigh. So, these are three evidences.

Q. 253. What is the ruling on the sitting of rest (*Jalsatul-Istirahah*)?

A. The scholars hold three opinions regarding the sitting of rest:

1. That it is unrestrictedly recommended.

2. That it is not unrestrictedly recommended.

3. Distinguishing between one for whom it is difficult to stand up immediately, so he sits and one for whom it is not difficult, so he does not sit.

Ibn Qudamah said in *Al-Mughni*, on page 529, volume 1, in the edition published by Dar Al-Manar: In this there is a reconciliation between the different narrations and it is a middle way between the two opinions.

In the page following this, he mentioned on the authority of 'Ali bin Abu Talib, may Allâh be pleased with him, that he said: 'Verily, it is a part of the *Sunnah* in the obligatory prayers that

[1] *Al-Fath Ar-Rabbani* 3:147

[2] *Zadul-Ma'ad*: 1:231

when a man stands up in the first two *Rak'ahs,* he should not support himself by putting his hands on the ground, unless he is an old man who cannot (stand up unaided).' (Narrated by Al-Athram)[1]

In the *Hadith* of Malik (i.e. Ibn Huwairith), it is mentioned that: 'when the Prophet ﷺ raised his head from the second *Sajdah,* he would sit straight, then he would support himself on the ground.'[2]

It is possible that the Prophet ﷺ did this due to the difficulty he found in standing caused by weakness and old age, for he ﷺ said:

«إِنِّي قَدْ بَدنتُ فَلَا تَسْبِقُونِي بِالرُّكُوعِ وَلَا بِالسُّجُودِ»

"Verily, I have become overweight, so do not anticipate me in bowing and prostrating. (end of quote)."

This is the opinion which I am inclined to accept, having said all that, because Malik bin Huwairith, may Allâh be pleased with him, visited the Prophet ﷺ when he was preparing for the Tabuk campaign,[3] and the Prophet ﷺ had become old at that time, and he had begun to get weak.

It is reported in *Sahih Muslim* on page 506 of the edition checked by Fu'ad 'Abdul-Baqi, on the authority of 'Aishah, may Allâh be pleased with her, that she said: 'When the Messenger of Allâh ﷺ gained weight and became heavy, most of his prayers were performed sitting down.'[4] 'Abdullah bin Shaqiq asked her:

[1] Reported by Al-Baihaqi 2:136, and see *Al-Mughni* 2:214.

[2] Reported by Al-Bukhari in the Book of the *Athan,* in Chapter 143: How He Used to Support Himself on the Ground When He Stood Up After Completing the *Rak'ah* (824).

[3] See *Fathul-Bari* 2:131.

[4] Reported by Muslim in the Book of the Prayer of the Travellers, in Chapter 16: The License to Perform Supererogatory Prayers Standing and Sitting, *Hadith* 117 (732).

'Did the Prophet ﷺ used to pray sitting down?' She said: 'Yes, after the people had broken him.'[1]

Hafsah, may Allâh be pleased with her, said: 'I did not see the Prophet ﷺ offering his supererogatory prayers in a sitting position until the year before his death, when he used to offer his supererogatory prayers in a sitting position.'[2] – and in another version: a year or two.

All of these narrations are in *Sahih Muslim*. This is also supported by the fact that in the *Hadith* of Malik bin Huwairith, may Allâh be pleased with him, supporting oneself on the ground was mentioned; and supporting oneself against something is only done when there is a need for it. It might also be indicated by what was said in the *Hadith* of 'Abdullah bin Buhainah, may Allâh be pleased with him, reported by Al-Bukhari and others that the Prophet ﷺ led them in the *Zuhr* prayer and he stood up from the two *Rak'ahs* and he did not sit.[3] So he said: he did not sit which is general, without making an exception for *Jalsatul-Istirahah*. It might be said that the sitting which is negated here was the sitting for the *Tashahhud*, not sitting in general – and Allâh knows better.

Q. 254. What is the ruling on moving the forefinger during the *Tashahhud* from the beginning to the end of it?

A. Moving the forefinger should only be done when supplicating and not throughout the *Tashahhud*, because he ﷺ used to move it when he supplicated, as reported in a *Hadith*

[1] The previous location, *Hadith* 115 (732).

[2] The previous location, *Hadith* 118 (733).

[3] Reported by Al-Bukhari in the Book of the *Athan*, in the Chapter: Whoever Did not Consider That the *Tashahhud* is Obligatory (829); and by Muslim in the Book of *Masjids*, in the Chapter: Forgetfulness in Prayer *Hadith* 85 (570).

that he would move it, supplicating with it.[1]

The meaning of this, is that the supplicator only invokes Allâh, the Almighty, the All-Powerful. Allâh, the Most Glorified, the Most High is above the heavens, according to the Words of Allâh, the Most High:

﴿ءَأَمِنتُم مَّن فِى ٱلسَّمَآءِ أَن يَخْسِفَ بِكُمُ ٱلْأَرْضَ فَإِذَا هِىَ تَمُورُ ﴿١٦﴾ أَمْ أَمِنتُم مَّن فِى ٱلسَّمَآءِ أَن يُرْسِلَ عَلَيْكُمْ حَاصِبًا فَسَتَعْلَمُونَ كَيْفَ نَذِيرِ﴾

"Do you feel secure that He, Who is over the heaven (Allah), will not cause the earth to sink with you, and then it should quake? Or do you feel secure that He, Who is over the heaven (Allah), will not send against you a violent whirlwind? Then you shall know how (terrible) has been My Warning."[2]

The Prophet ﷺ said:

«أَلَا تَأْمَنُونِي وَأَنَا أَمِينُ مَنْ فِي السَّمَاءِ»

"Do you not trust me when I am the trusted one of Him Who is above the heavens?"[3]

So Allâh, the Most High is above the heavens, i.e. exalted above everything, so if you supplicate to Allâh, you should point to the highest, which is why it has been confirmed from the Prophet ﷺ that he addressed the people during the Farewell Pilgrimage and he said:

«أَلَا هَلْ بَلَّغْتُ؟»

"Have I not conveyed (the Message)?"

They said: "Yes." Then he raised his forefinger to the heaven

[1] *Al-Fath Ar-Rabbani* 147:3 and he said: Its chain of narrators is good.

[2] *Al-Mulk* 67:16-17.

[3] Reported by Al-Bukhari in the Book of Military Campaigns, in the Chapter: The Sending of 'Ali bin Abi Talib and Khalid bin Al-Walid, may Allah be pleased with them, to Yemen.

and then pointed it at the people and said:

«اللَّهُمَّ اشْهَدْ، اللَّهُمَّ اشْهَدْ، اللَّهُمَّ اشْهَدْ»

"Oh, Allâh! Bear witness! Oh, Allâh! Bear witness! Oh, Allâh! Bear witness!"

He said it three times, which proves that Allâh is above everything. This is a matter that is clear and well known by the *Fitrah*, reason, revelation and consensus.

So, based upon this, whenever you supplicate Allâh, the Almighty, the All-Powerful, you should move your forefinger and point to the heaven with it, and other than this, you should not move it.

Now we shall go through the places of supplication in the *Tashahhud*:

«السَّلَامُ عَلَيْكَ أَيُّهَا النَّبِيُّ وَرَحْمَةُ اللهِ وَبَرَكَاتُهُ، السَّلَامُ عَلَيْنَا وَعَلَى عِبَادِ اللهِ الصَّالِحِينَ، اللَّهُمَّ صَلِّ عَلَى مُحَمَّدٍ وَعَلَى آلِ مُحَمَّدٍ، اللَّهُمَّ بَارِكْ عَلَى مُحَمَّدٍ وَعَلَى آلِ مُحَمَّدٍ، أَعُوذُ بِاللهِ مِنْ عَذَابِ جَهَنَّمَ، وَمِنْ عَذَابِ الْقَبْرِ، وَمِنْ فِتْنَةِ الْمَحْيَا وَالْمَمَاتِ، وَمِنْ فِتْنَةِ الْمَسِيحِ الدَّجَّالِ»

(As-Salamu 'Alayka Ayyuhan-Nabiyyu Wa Rahmatullahi Wa Barakatuhu, As-Salamu 'Alayna Wa 'Ala 'Ibadillahis-Saliheen; Allâhumma Salli 'Ala Muhammadin Wa 'Ala Ali Muhammadin, Allâhumma Barik 'Ala Muhammadin Wa 'Ala Ali Muhammadin. A'oothu Billahi Min 'Athabi Jahannama Wa Min 'Athabil-Qabr Wa Min Fitnatil-Mahya Wal-Mamat Wa Min Fitnatil-Maseehid-Dajjal.)

"May the Peace, Blessings and Mercy of Allâh be upon you, oh, Prophet and upon the righteous slaves of Allâh; Oh, Allâh! Send prayers on Muhammad and on the family of Muhammad, oh, Allâh! Send blessings upon Muhammad and upon the family of

Muhammad. I seek refuge with Allâh from the punishment of the Hell-fire, from the punishment of the grave and from the trial of life and death and from the trial of the false messiah."

In these eight locations, a person should move his finger towards the heaven and if he supplicates using other words than these, he should raise it also, because the rule is that he should raise it at every supplication.

Q. 255. Should a person restrict himself to reciting only the *Tashahhud* in the first *Tashahhud*, or should he add the sending of prayers?

A. The first *Tashahhud* in the three *Rak'ah* and the four *Rak'ah* prayers should be restricted to the words:

«التَّحِيَّاتُ للهِ وَالصَّلَوَاتُ وَالطَّيِّبَاتُ، السَّلَامُ عَلَيْكَ أَيُّهَا النَّبِيُّ وَرَحْمَةُ اللهِ وَبَرَكَاتُهُ، السَّلَامُ عَلَيْنَا وَعَلَى عِبَادِ اللهِ الصَّالِحِينَ. أَشْهَدُ أَنْ لَا إِلَهَ إِلَّا اللهُ، وَأَشْهَدُ أَنَّ مُحَمَّدًا عَبْدُهُ وَرَسُولُهُ.»

(At-Tahiyyatu Lillahi Was-Salawatu Wat-Tayyibatu, As-Salamu 'Alayka Ayyuhan-Nabiyyu Wa Rahmatullahi Wa Barakatuhu; As-Salamu 'Alayna Wa 'Ala 'Ibadillahis-Saliheen. Ashhadu Alla Ilaha Illallahu Wa Ashhadu Anna Muhammadan 'Abduhu Wa Rasooluh.)

"All compliments, prayers and good words are due to Allâh, may the Peace, blessings and Mercy of Allâh be upon you, oh, Prophet. I bear witness that none has the right to be worshipped except Allâh and I bear witness that Muhammad is His slave and His Messenger."[1]

This is the best, but there is no objection if one added:

«اللَّهُمَّ صَلِّ عَلَى مُحَمَّدٍ وَعَلَى آلِ مُحَمَّدٍ، كَمَا صَلَّيْتَ عَلَى إِبْرَاهِيمَ

[1] Reported by Al-Bukhari in the Book of the *Athan*, in the Chapter: The *Tashahhud* in the Hereafter (831).

وَعَلَى آلِ إِبْرَاهِيمَ، إِنَّكَ حَمِيدٌ مَجِيدٌ. اللَّهُمَّ بَارِكْ عَلَى مُحَمَّدٍ، وَعَلَى آلِ مُحَمَّدٍ، كَمَا بَارَكْتَ عَلَى إِبْرَاهِيمَ ، وَعَلَى آلِ إِبْرَاهِيمَ، إِنَّكَ حَمِيدٌ مَجِيدٌ»

(Allâhumma Salli 'Ala Muhammadin Wa 'Ala Aali Muhammadin Kama Sallayta 'Ala Ibraheem Wa 'ala Aali Ibraheema Innaka Hameedun Majeed; Allâhumma Barik 'Ala Muhammadin Wa 'Ala Aali Muhammadin Kama Barakta 'Ala Ibraheem Wa 'ala Aali Ibraheema Innaka Hameedun Majeed.)

"Oh, Allâh! Send prayers on Muhammad and on the family of Muhammad, as You sent prayers on Abraham and the family of Abraham. Truly You are Worthy of Praise, Full of Glory. Oh, Allâh! Send blessings on Muhammad and on the family of Muhammad, as You sent blessings on Abraham and the family of Abraham. Truly, You are Worthy of Praise, Full of Glory."[1]

There are those among the scholars who said that it is recommended to make this addition, but the most correct opinion, in my view, is restrict oneself to the first. If one added to it, there is no objection, especially if the *Imam* prolonged the *Tashahhud*, in that case, one should add the prayers which we have indicated.

Q. 256. What is the ruling on *Tawarruk*[2] in prayer? Is it general for men and women? Advise us, and may Allâh reward you with goodness.

A. The sitting of *Tawarruk* in prayer is a *Sunnah* during the last *Tashahhud* in every prayer in which there are two *Tashahhuds*,

[1] Reported by Al-Bukhari in the Book of the Stories of the Prophets, in Chapter (3369) (3370); and by Muslim in the Book of Prayer, in the Chapter: Sending Prayers on the Prophet ﷺ After the *Tashahhud* 1:305, *Hadith* 66 (405).

[2] *Tawarruk*: To sit in such a manner that the left shin is not under the left thigh, shifting it towards the right, with the buttocks on the ground.

such as the *Maghrib* prayer, the *'Isha'* prayer, the *Zuhr* prayer and the *'Asr* prayer. As for a prayer in which there is only one *Tashahhud*, there is no *Tawarruk* in it. Instead, one should sit, laying the left foot along the ground and sit on it, having the right foot upright (*Iftirash*).

Regarding men and women, yes, it is confirmed for women and for men. This is because the basic principle is that men and women are the same in the rulings of Islamic Law, unless there is some legal evidence to indicate otherwise. There is no authentic legal proof that a woman performs her prayer different than a man; in fact she and the man are equal in this matter.

Q. 257. An *Imam* makes the *Taslim* by saying *As-Salamu 'Alaykum* only once; is it sufficient to restrict oneself to one salutation? Advise us, and may Allâh reward you with goodness.

A. Some of the scholars consider it permissible to content oneself with one salutation, others consider that it is essential to make two salutations, while others hold that one salutation is sufficient in the supererogatory prayers, but not the obligatory ones.

The most prudent thing is to make two *Taslims*, because this has been reported more than anything else from the Prophet ﷺ, and it is more prudent, and involves mentioning Allâh more.

But if the *Imam* made the *Taslim* once and the one being led in prayer did not consider it sufficient to make only one salutation, then he may make the *Taslim* twice and there is no sin upon him in doing this.

If the *Imam* made two *Taslims*, and the one being led in prayer considers that one *Taslim* is sufficient, he should make *Taslim* with the *Imam* in order to follow the *Imam*.

Q. 258. Is it more fitting for the *Imam* to leave directly after the prayer, or should he wait a while?

A. It is more fitting for the *Imam* to wait, facing the *Qiblah* for the time it takes to seek forgiveness from Allâh three times and to say:

«اللَّهُمَّ أَنْتَ السَّلَامُ، وَمِنْكَ السَّلَامُ، تَبَارَكْتَ يَا ذَاالْجَلَالِ وَالْإِكْرَام»

(Allâhumma Antas-Salamu Wa Minkas-Salamu, Tabarakta Ya Thul-Jalali Wal-Ikram)

"Oh, Allâh, You are Peace and from You comes peace, Most Blessed are You, oh, Owner of Majesty and Honor."

Then he should turn to face those whom he led in prayer.[1]

As for remaining in his place, if his standing will necessitate him treading on the necks of the worshippers, then it is better for him to remain until he finds space; if not, then he may leave.

As for the one led in prayer, it is better that he does not leave before his *Imam*, according to the words of the Prophet ﷺ:

«لَا تَسْبِقُونِي بِالانْصِرَافِ»

"Do not anticipate me in leaving."[2]

However, if the *Imam* remained for a long time facing the *Qiblah* longer than the *Sunnah*, then the one led in prayer may leave.

[1] This is the *Hadith* of Thawban reported by Muslim in the Book of the *Masjids*, in Chapter 26: The Recommendation to Utter Remembrance After the Prayer 1:414, *Hadith* 135 (591).

[2] Reported by Muslim in the Book of Prayer, in Chapter 25: The Forbiddance of Anticipating the Imam 1:320, *Hadith* 112 (426); and at the beginning of it: "Oh, you people! I am your *Imam*, so do not anticipate me in *Ruku'*, nor in *Sujud*, nor in standing, nor in leaving."

Q. 259. What is the opinion of Your Eminence regarding shaking hands and saying: *Taqabbal Allâh* (May Allâh accept your prayers) immediately after leaving the prayer, may Allâh reward you with goodness?

A. There is no basis for shaking hands, nor for saying *Taqabbal Allâh* after completing the prayer, because it has not been reported from the Prophet ﷺ, nor has it been reported from his Companions, may Allâh be pleased with them.

Q. 260. What is your opinion regarding the use of *Misbahah*[1] when making *Tasbih*, may Allâh reward you with goodness?

A. The use of *Sibhah* (i.e. *Misbahah*) is permissible, but it is better to make *Tasbih* by counting on the finger-joints, because the Prophet ﷺ said:

«اعْقِدْنَ بِالأَصَابِعِ فَإِنَّهُنَّ مُسْتَنْطَقَاتٌ»

"Count on the fingers, because they will be questioned."[2]

And (they are also not recommended) because there might be something of show in them, and because in most cases, when a person makes *Tasbih* using *Sibhah*, one finds that his heart is not present, so he makes *Tasbih* with the *Misbahah* and he looks to right and left. So the fingers are better and they are more fitting.

Q. 261. What are the statements of remembrance that are legislated after making the *Taslim* in the prayer?

A. Mentioning Allâh, the Most High after the prayers was

[1] *Misbahah*: beads to count statements of remembrance with.

[2] Reported by Imam Ahmad in *Al-Musnad* 6:370; by Abu Dawud in the Book of Prayer, in the Chapter: *Tasbeeh* Using Stones (1501); and by At-Tirmithi in the Book of Supplications, in the Chapter: The Virtues of *Tasbih* (3583) and the wording of the *Hadith* is: Count on the finger-joints, because they will be asked and questioned.

commanded by Allâh in His Words:

﴿فَإِذَا قَضَيْتُمُ ٱلصَّلَوٰةَ فَٱذْكُرُوا۟ ٱللَّهَ قِيَٰمًا وَقُعُودًا وَعَلَىٰ جُنُوبِكُمْ﴾

"When you have finished As-Salat (the congregational prayer), remember Allah standing, sitting down, and (lying down) on your sides."[1]

And these statements of remembrance, that Allâh has commanded in general, have been made clear by the Prophet ﷺ, who said:

«إِذَا سَلَّمْتَ: اسْتَغْفِرِ اللهَ ثَلَاثاً»

"When you make the Taslim, seek forgiveness from Allâh three times." (say:)

«اللَّهُمَّ أَنْتَ السَّلَامُ، وَمِنْكَ السَّلَامُ، تَبَارَكْتَ يَاذَا الْجَلَالِ وَالْإِكْرَامِ، لَا إِلَهَ إِلَّا اللهُ وَحْدَهُ لَا شَرِيكَ لَهُ، لَهُ الْمُلْكُ، وَلَهُ الْحَمْدُ، وَهُوَ عَلَى كُلِّ شَيْءٍ قَدِيرٌ، اللَّهُمَّ لَا مَانِعَ لِمَا أَعْطَيْتَ، وَلَا مُعْطِيَ لِمَا مَنَعْتَ، وَلَا يَنْفَعُ ذَا الْجَدِّ مِنْكَ الْجَدُّ، لَا إِلَهَ إِلَّا اللهُ، وَلَا نَعْبُدُ إِلَّا إِيَّاهُ، لَهُ النِّعْمَةُ، وَلَهُ الْفَضْلُ، وَلَهُ الثَّنَاءُ الْحَسَنُ، لَا حَوْلَ وَلَا قُوَّةَ إِلَّا بِاللهِ، لَا إِلَهَ إِلَّا اللهُ، وَلَا نَعْبُدُ إِلَّا إِيَّاهُ، مُخْلِصِينَ لَهُ الدِّينَ وَلَوْ كَرِهَ الْكَافِرُونَ»

(Allâhumma Antas-Salamu Wa Minkas-Salamu, Tabarakta Ya Thul-Jalali Wal-Ikram. La Ilaha Illallahu Wahdahu La Shareeka Lahu, Lahul-Mulku Wa Lahul-Hamdu Wa Huwa 'Ala Kulli Shay'in Qadeer Allâhumma La Mani'a Lima A'taita Wa La Mu'tiya Lima Mana'ta Wa La Yanfa'u Thal-Jaddi Minkal-Jadd. La Ilahah Illallahu Wa La Na'budu Illa Iyyahu, Lahun-Ni'matu Wa Lahul-Fadhlu Wa Lahuth-Thana ul-Hasan. La Hawla Wa La Quwwata Illa Billahi, La Ilaha Illallahu Wa La Na'budu Illa Iyyahu Mukhliseena Lahud-Deenu Wa Law

[1] *An-Nisa' 4:103.*

Karihal-Kafiroon.)

"Oh, Allâh, You are Peace and from You comes peace. Blessed are You, Oh, Owner of majesty and honour.[1] *None has the right to be worshipped but Allâh Alone, He has no partner, His is the dominion and His is the praise, and He is able to do all things. Oh, Allâh, there is none who can withhold what You have given and none may give what You have withheld, and the might of a might of a mighty person cannot benefit him against You.*[2] *None has the right to be worshipped but Allâh, and we do not worship any other besides Him. His is grace, and His is bounty and to Him belongs the most excellent Praise. There is no power and no might except by Allâh. None has the right to be worshipped but Allâh and we do not worship any other besides Him (we are) sincere in making our religious devotion to HIm, even though the disbelievers may dislike it."*[3]

You should glorify Allâh (*Tasbih*) by what has been reported from the Prophet ﷺ, such as glorifying Allâh, praising Him (*Tahmid*) and making *Takbir*, each of them thirty-three times, saying: *Subhan Allâh* and *Al-Hamdu Lillah* and *Allâhu Akbar* thirty-three times, then completing the hundred by saying: *La Ilaha Illallahu Wahdahu La Shareeka Lahu, Lahul-Mulku Wa Lahul-*

[1] Reported by Muslim in the Book of *Masjids*, in the Chapter: The Recommendation of Uttering Statements of Remembrance After Prayer (595).

[2] This wording is agreed upon (by Al-Bukhari and Muslim) in the *Hadith* of Al-Mughirah bin Shu'bah, may Allah be pleased with him; it was reported by Al-Bukhari in the Book of the *Athan*, in the Chapter: The Remembrance After Prayer (844) and in the Book of Supplications, in the Chapter: The Supplication After Prayer (6329); and in other Books and it was reported by Muslim in the Book of *Masjids*, in Chapter 26: The Recommendation of Uttering Statements of Remembrance After Prayer 1:414, *Hadith* 137 (593).

[3] This is the *Hadith* of 'Abdullah bin Zubair, may Allah be pleased with him, reported by Muslim in the aforementioned location, *Hadith* 139 (594).

Hamdu Wa Huwa 'Ala Kulli Shay'in Qadeer.

It is the same whether you said it all together: *Subhan Allâhi Wal-Hamdu Lillahi Wallahu Akbar* thirty-three times, or you said the *Tasbih* by itself, the *Tahmid* by itself and the *Takbir* by itself and then completed it by saying: *La Ilaha Illallahu Wahdahu La Shareeka Lahu, Lahul-Mulku Wa Lahul-Hamdu Wa Huwa 'Ala Kulli Shay'in Qadeer.*

Likewise, it is permissible to make *Tasbih, Tahmid* and *Takbir* ten at a time, instead of making them thirty-three at a time, by saying: *Subhan Allâh* ten times, *Al-Hamdu Lillah* ten times and *Allâhu Akbar* ten times, which comes to thirty; and this is what has been reported in the *Sunnah.*[1]

It has also been reported in the *Sunnah* that one may say *Subhan Allâhi Wal-Hamdu Lillahi Wa La Ilaha Illallahu Wallahu Akbar,* these four things are said twenty-five times, making the total one hundred.[2]

So, whichever of these forms you used to make *Tasbih,* it is permissible, because the rule of the Islamic Law is that if acts of worship have been reported in various forms, it is a *Sunnah* to perform all of them, once this and once that, in order that a person may perform the *Sunnah* in all its forms. These statements of remembrance which I mentioned are general for all of the prayers: *Fajr, Zuhr, 'Asr, Maghrib* and *'Isha'.* And in

[1] Reported by Abu Dawud in the Book of Good Manners, in the Chapter Regarding *Tasbih* at the Time of Sleeping, *Hadith* (5065); and it was reported by At-Tirmithi in the Book of Supplications, in Chapter 25, *Hadith* (3410); and by An-Nasa'i in the Book of Forgetfulness, in the Chapter: The Number of *Tasbih* After the *Taslim* (1347); and by Ibn Majah in the Book of Establishing the Prayer, in the Chapter: What is Said After the *Taslim* (926).

[2] Reported by At-Tirmithi in the Book of Supplications, in Chapter 25 (3413) and he declared it to be authentic and it was reported by An-Nasa'i in the Book of Forgetfulness, in Chapter 93: Another Form of *Tasbih* 3:85 (1349) and (1350).

Maghrib and *Fajr*, the *Tahlil*[1] is performed ten times, and likewise the words *Rabbi Ajirni Min An-Nar* (My Lord! Grant me protection from the Fire) are repeated seven times after the *Maghrib* and the *Fajr* prayers. And Allâh is the Granter of success.

Q. 262. What is the ruling on raising the hands and supplicating after the prayer?

A. It is not legislated for a person to raise his hands and supplicate after completing the prayer. If he wishes to supplicate, then supplication during the prayer is better than him supplicating after he finishes it. This is why the Prophet ﷺ indicated that in the *Hadith* of Ibn Mas'ud, may Allâh be pleased with him, in which he mentioned the *Tashahhud*, saying:

«ثُمَّ لِيَتَخَيَّرْ مِنَ الْمَسْأَلَةِ مَا شَاءَ»

"Then he may choose whichever issue he wishes."[2]

As for the practice of some of the common people whenever they perform a voluntary prayer, or raising their hands so that with regard to some of them one would almost say that he has not supplicated. Because when the (obligatory) prayer begins and they are in the *Tashahhud* of the voluntary prayer, one observes them when they make the *Taslim* raising their hands and it is as if, and Allâh knows better, they are simply raising them (without supplicating) and then they wipe their faces. All of this is to maintain a practice of supplication which they believe is legislated, but maintaining it to this degree is considered a form of innovation.

Q. 263. In some countries, after the obligatory prayers, they recite *Surat Al-Fatihah* and some statements of remembrance, and *Ayat Al-Kursi* in congregation; what is the ruling in this practice?

[1] *Tahlil*: Saying *La Ilaha Illallah*.

[2] Reported by Al-Bukhari in the Book of the *Athan*, in the Chapter: What Supplication May be Chosen After the *Tashahhud* (800).

A. The recitation of *Surat Al-Fatihah*, *Ayat Al-Kursi* and statements of remembrance after prayer in a loud voice in congregation is a form of innovation. Because what is well known from the Prophet ﷺ and his Companions, may Allâh be pleased with them, is that after the prayer, they would mention Allâh in loud voices, but every one of them would mention Allâh, the Most High alone, without joining together. Raising the voice in remembrance after the obligatory prayers is a *Sunnah*, as confirmed in *Sahih Al-Bukhari*, on the authority of Ibn 'Abbas, may Allâh be pleased with them, who said: "At the time of the Prophet ﷺ, the people used to raise their voices when they had completed the obligatory prayers."[1]

As for the recitation of *Surat Al-Fatihah* after the prayers whether it be quietly or out loud I know of no *Hadith* from the Prophet ﷺ in this regard; it has only been reported in the *Hadith* that one should recite *Ayat Al-Kursi*, *Qul Huwa Allâhu Ahad* (i.e. *Surat Al-Ikhlas*) and *Al-Mu'awithatan* (i.e. *Surat Al-Falaq* and *Surat An-Nas*).

Q. 264. If a person feared that if he answered the call of nature, he would miss the congregational prayer, should he pray while he is holding it in, in order to catch the congregational prayer, or should he answer the call of nature, even if he misses the congregational prayer?

A. He should answer the call of nature and then make ablution, even if he missed the congregational prayer, because this is an excuse and the Prophet ﷺ said:

«لَا صَلَاةَ بِحَضْرَةِ طَعَامٍ، وَلَا وَهُوَ يُدَافِعُهُ الْأَخْبَثَانِ»

[1] Reported by Al-Bukhari and Muslim: It was reported by Al-Bukhari in the Book of the *Athan*, in the Chapter: The Remembrance After the Prayer (841); and by Muslim in the Book of *Masjids*, in the Chapter: The Remembrance After the Prayer (583).

"There is no prayer when food is served, nor when he is suppressing the two filths."[1]

Q. 265. What is the ruling on closing the eyes in prayer?

A. Closing the eyes in prayer is disliked, because it contradicts the practice of the Prophet ﷺ, unless there is a reason for it, such as if there were geometric patterns on the wall in front of him, or on the carpet, or if there was a strong light in front of him which hurt his eyes. The important thing is that if the closing of the eyes was for a reason, then there is no objection to it, but otherwise, it is disliked. And whoever wished to study more about it should refer to the book *Zadul-Ma'ad* by Ibn Qayyim may Allâh, the Most High have mercy on him.

Q. 266. Does cracking the knuckles in prayer forgetfully invalidate the prayer?

A. Cracking the knuckles does not invalidate the prayer, but it is a vain deed, and if it is in the congregational prayers, it must cause annoyance to those who hear it, and so the harm of it is greater than if there were no one around him.

And I would like to take this opportunity to say that movements in prayer fall into five categories:

(i) Obligatory Movements, (ii) movements which are a *Sunnah*, (iii) movements which are disliked, (iv) forbidden movements, and (v) permissible movements.

As for the obligatory movements, they are based on obligatory actions in the prayer, such as when a person stands in prayer, then he remembers that there is something impure on his headdress; in that case, it is incumbent upon him to remove this headdress, so this movement is obligatory. The evidence for that is when Jibril, peace be upon him, came to the Prophet ﷺ

[1] Reported by Muslim in the Book of the *Masjids*, in the Chapter: The Dislike of Praying When Food is Served 1:393, *Hadith* 67 (560).

and informed him that there was some filth on his shoes and he ﷺ removed them during the prayer and continued with his prayer.[1] So, this movement is obligatory, and the rule governing it is that doing it involves an obligatory action in the prayer or the abandonment of something forbidden.

As for the movements which are a *Sunnah*, they are those upon whose performance the perfection of the prayer depends. Such as moving up in the row when a space opens up. A person moves closer to his neighbor in order to close this space; this is a *Sunnah* and so this action is sanctioned by the Islamic Law.

As for disliked movement, it is unnecessary movement which has no relation to the perfection of the prayer.

As for forbidden movement, it is frequent and repeated movement, such as when a person does vain things while he is standing, while he is bowing, while he is prostrating and while he is sitting, so that the prayer deviates from its prescribed form. This movement is forbidden, because it invalidates the prayer.

As for permissible movements, they are anything not included in the above, such as when a person feels an itch and so he scratches it, or his headdress falls over his eye, so he raises it; these are among the permissible actions, or someone asks his permission and so he raises his hand in order to give his permission. These are among the permitted movements.

Q. 267. What is the ruling on the *Sutrah*? And what is the limit of it?

A. The *Sutrah* in prayer is an emphisized *Sunnah*, except for the one who is led in prayer, because it is not legislated for the one

[1] Reported by Abu Dawud in the Book of Prayer, in the Chapter: Praying in Shoes, *Hadith* (650); and declared authentic by Ibn Khuzaimah 1:384 (786); and it was reported by Ibn Hibban 5:560 (2185).

being led in prayer to take a *Sutrah*; the *Sutrah* of the *Imam* is sufficient for him.

As for the limit of it, the Prophet ﷺ was asked about it and he said:

«مِثْلُ مُؤْخِرَةِ الرَّحْلِ»

"Such as the back of the saddle of his riding mount."[1]

But this is the highest that it may be, and anything less than it will suffice, for it has been reported in a *Hadith*:

«إِذَا صَلَّى أَحَدُكُمْ فَلْيَسْتَتِرْ وَلَوْ بِسَهْم»

"If one of you is in prayer, let him put a Sutrah in front of him, even if it is an arrow."[2]

It has been reported in another *Hadith* reported by Abu Dawud with a *Hasan* chain of narrators:

«أَنَّ مَنْ لَمْ يَجِدْ فَلْيَخُطَّ خطًّا»

"Whoever does not find anything, he should draw a line (in the dust)."[3]

Hafiz Ibn Hajar said in *Bulugh Al-Maram*: Those who claim that it is *Mudtarib*[4] are not correct, for there is no weakness in the

[1] Reported by Muslim in the Book of Prayer, in the Chapter: The *Sutrah* of the Worshipper 1:358, *Hadith* 241 (499).

[2] Reported by Ibn Khuzaimah in the Chapters on the *Sutrah* of the Worshipper 2:12 (811) and it was reported by Ahmad 3:404 (and *Ar-Risalah* 24:57 (15340)

[3] Reported by Ibn Khuzaimah in the aforementioned location, *Hadith* (811); and it was reported by Abu Dawud in the Book of Prayer, in the Chapter: What the Worshipper May Use as a *Sutrah*; and it was reported by Ibn Majah in the Book of the *Iqamah* of the Prayer, in the Chapter: The *Sutrah* of the Worshipper (943); and refer to *Sahih Ibn Hibban* 6:125 (2361), *Hadith* (689).

[4] *Mudtarib*: A *Hadith* which is narrated in a number of contradictory forms, in such a manner that it is impossible to reconcile them and the

Hadith which would necessitate its rejection, so we say that the minimum for it is a line and the maximum is the back of a riding beast's saddle.

Q. 268. What is the ruling on passing directly in front of a worshipper in prayer in the Sacred *Masjid* (in Makkah), whether the worshipper is performing an obligatory prayer or a supererogatory one, and whether he is being led in prayer or praying alone?

A. As for passing in front of a person who is being led in prayer, there is no objection to it in the Sacred *Masjid*, nor in any other *Masjid*, because Ibn 'Abbas, may Allâh be pleased with him, came to the Prophet ﷺ when he was in Mina and he was leading the people in prayer without a wall in front of him, and he passed in front of the row while he was riding on his donkey, and no one censured him.[1]

But if the worshipper was the *Imam* or a person praying alone, then it is not permissible for anyone to pass directly in front of him, neither in the sacred *Masjid* nor in any other *Masjid*, due to the general nature of the evidences, and there is no evidence to single out Makkah or the Sacred *Masjid* and to prove that passing directly in front of a worshipper in prayer there does not harm, and that the one who does so is not guilty of sin.

Q. 269. What is the ruling on placing an electric heater in front of the worshippers during the performance of their prayers? And has any legal prohibition been reported

chains of narrators of all of them are of equal strength, so that it is not possible to say which of them is more correct.

[1] Reported by Al-Bukhari in the Book of Knowledge, in Chapter 19: When it is Correct to Accept a Child's Report (76); and in other locations, and it was reported by Muslim in the Book of Prayer in Chapter 47: The *Sutrah* of the Worshipper in Prayer 1:361, *Hadith* 354 (504).

concerning it? May Allâh recompense you and benefit the Muslims through you and your knowledge.

A. There is no objection to placing heaters in the *Qiblah* of the *Masjid* in front of the worshippers and I know of no legal prohibition with regard to it.

Q. 270. Is it permissible for the one praying, when he reaches a Verse in his recitation in which Paradise and the Fire are mentioned, to ask Allâh for Paradise and seek refuge with Him from the Fire? Is there a difference between the one being led in prayer and the one praying alone in this matter?

A. Yes, that is permissible, and there is no difference between the one being led in prayer, and the one praying alone, except that in the case of the one being led in prayer, it is conditional upon him not being distracted from listening (to the recitation of the *Imam*) which he is commanded to do.

Q. 271. What are the reasons for making the prostrations of forgetfulness (*Sujud As-Sahw*)?

A. The reasons for making the prostrations of forgetfulness in prayer are three in total:

1. Excess: Such as when a person makes an extra *Ruku'*, *Sujud*, standing or sitting.

2. Omission: Such as when a person leaves out a pillar or one of the obligations of the prayer.

3. Doubt: That he is unsure how many *Rak'ahs* he has prayed, whether he has prayed three or four for example.

As for the excess, if a person deliberately performs an extra *Ruku'*, *Sujud*, standing or sitting, his prayer is invalidated. This is because if he exceeded therein, he has performed the prayer in a manner other than that which was commanded by Allâh,

the Most High and His Messenger ﷺ. The Prophet ﷺ said:

«مَنْ عَمِلَ عَمَلًا لَيْسَ عَلَيْهِ أَمْرُنَا فَهُوَ رَدٌّ»

"Whoever performed a deed which is not from this matter (i.e. this religion) of ours will have it rejected."[1]

But if he added something forgetfully, then his prayer is not invalidated. Instead he must perform the prostration of forgetfulness after making the *Taslim*. The evidence for this is the *Hadith* of Abu Hurairah, may Allâh be pleased with him, when the Prophet ﷺ made the *Taslim* after two *Rak'ahs* in one of his *'Ashiy*[2] prayers either the *Zuhr* prayer or the *'Asr* prayer, and when they reminded him, he performed what remained of his prayer, then he made the *Taslim*, then he performed two prostrations after the *Taslim*.[3]

The *Hadith* of Ibn Mas'ud, may Allâh be pleased with him, in which he said that the Prophet ﷺ performed five *Rak'ahs* while

[1] Reported by Muslim with this wording and by Al-Bukhari in a *Mu'allaq* form in the Book of Sales, in Chapter 60; and it was reported in *Musnad* form (i.e. with an uninterrupted chain of narrators reaching to the Prophet ﷺ) in the Book of Peacemaking, in the Chapter: If They Made Peace Based Upon an Unjust Treaty, Then it is Rejected, but with the wording: "Whoever innovated something in this matter (i.e. religion) of ours which is not a part of it will have it rejected." (2697); and by Muslim in the Book of Judgements, in the Chapter: The Invalidation of False Judgements and the Rejection of Innovations in Religious Matters, *Hadith* 18 (1718) and with the wording: "Whoever innovated..." *Hadith* 17.

[2] *'Ashiyy*: Afternoon.

[3] Reported by Al-Bukhari and Muslim: Al-Bukhari reported it in the Book of Prayers, in the Chapter: Interlocking the Fingers in the *Masjid* and in Other Places (482) in a lengthy form and in the Book of the *Athan* in a shortened form (714) and (715) and in the Chapter on Forgetfulness (1226) and in other places; and it was reported by Muslim in the Book of *Masjids*, in the Chapter: Forgetfulness in Prayer, *Hadith* 97 (573).

leading them in prayer, and when he finished, he was asked: "Has the prayer been increased?" He said:

«وَمَا ذَاكَ؟»

"And why do you ask that?"

They said: "You prayed five (*Rak'ahs*)." So, he bent his legs, faced the *Qiblah* and made two prostrations.[1]

As for omission, if a person omitted one of the pillars of the prayer, then he falls into one of the following categories:

Either he remembers it before he reaches its place in the second *Rak'ah*, in which case, he must go back and perform the pillar and what comes after it, or else he does not remember it until he reaches its place in the second *Rak'ah*, in which case, the second *Rak'ah* will replace the *Rak'ah* in which he omitted the pillar, and so he performs a *Rak'ah* in place of it. In both of these situations, he must prostrate after the *Taslim*.

An example of this would be that a man stood up after performing the first *Sajdah* in the first *Rak'ah* and he did not sit, nor did he perform the second *Sajdah*. Then when he began the recitation, he remembered that he had not prostrated, nor had he performed the sitting between the two *Sajdahs*. In that case, he must go back and sit between the two *Sajdahs*, then prostrate, then stand and perform what remains of his prayer, then make the prostration of forgetfulness after the *Taslim*.

An example is of a person who did not remember until after he reached its place in the second *Rak'ah*, that he stood up from

[1] Reported by Al-Bukhari and Muslim: It was reported by Al-Bukhari in the Book of Prayer, in the Chapter: What Has Been Said Regarding the *Qiblah* (404) in a shortened form and (401) in a lengthy form and in the Chapter on Forgetfulness (1227) and in other places; and it was reported by Muslim in the aforementioned location, *Hadith* 91 (572).

the first *Sajdah* in the first *Rak'ah* and he did not perform the second *Sajdah*, nor did he sit between the prostrations. He did not realize this until he sat between the two prostrations in the second *Rak'ah*. In this case, the second *Rak'ah* would be the first *Rak'ah*, and he should add a *Rak'ah* to his prayer and make the *Taslim* after performing the prostration of forgetfulness.

As for omitting an obligatory act, if he omitted it and moved on from its place to the next place, such as if he forgot to say: *Subhana Rabbial A'la* (Glorified is my Lord, the Most High) and he did not remember until after he had raised his head from prostration, in that case, he has forgetfully omitted one of the obligatory acts of the prayer, so he must continue in his prayer and perform the prostration of forgetfulness before making the *Taslim*. This is because when the Prophet ﷺ omitted the first *Tashahhud*, he continued with his prayer and he did not go back, and he performed the prostration of forgetfulness before making the *Taslim*.[1]

As for doubt, it is to be in a state of uncertainty between excess and omission, such as to be uncertain whether he has prayed three *Rak'ahs* or four *Rak'ahs*; in this case, the matter must fall within two categories:

Either one of the two cases is more likely to him, excess or omission, and so he bases his action upon what is more likely to him and he completes his prayer accordingly. Then he performs the prostrations of forgetfulness after the *Taslim*. Or, neither

[1] From the *Hadith* of 'Abdullah bin Buhainah, may Allah be pleased with him, reported by Al-Bukhari and Muslim: Al-Bukhari reported it in the Book of the *Athan*, in the Chapter: Whoever Did Not Consider That the *Tashahhud* is an Obligation (829) and in the Chapter on Forgetfulness in Prayer (1224 and 1225) and in other locations; and it was reported by Muslim in the Book of the *Masjids*, in the Chapter: Forgetfulness in Prayer, *Hadith* 85 (570).

possibility is more likely than the other to him. So, he bases his action on what is certain to him, which is the lesser amount, and he completes his prayer accordingly. Then he performs the prostrations of forgetfulness before the *Taslim*. An example of this case is if a man offers the *Zuhr* prayer and then he becomes uncertain whether he is in the third *Rak'ah* or the fourth *Rak'ah*, but it seems more likely to him that it is the third. So, he performs one *Rak'ah*, then makes the *Taslim*, then prostrates for forgetfulness.

An example of one who is unable to decide which of the two cases is more likely, is a man who offers the *Zuhr* prayer and he becomes doubtful whether this is the third *Rak'ah* or the fourth. He is unable to decide whether it is more likely that it is the third *Rak'ah* or the fourth, so he bases his actions upon what he is certain of, which is the lesser number, he makes it the third *Rak'ah*, then performs a fourth *Rak'ah* and makes the prostration for forgetfulness before the *Taslim*.

From this it is clear that the prostration of forgetfulness is before the *Taslim* in cases where one of the obligatory acts has been omitted, or if he is unsure about the number of *Rak'ahs* and he is unable to decide which of the two cases is more likely. It is after the *Taslim* in cases where he has exceeded in the prayer, or he is in doubt, and if one of the two cases seems more likely to him.

Q. 272. If the *Imam* prays an extra *Rak'ah* and I counted it when I am a latecomer, is my prayer valid? And what is the ruling if I did not count it and then added a *Rak'ah*?

A. The correct opinion is that your prayer is valid, because you offered it completely and the extra *Rak'ah* offered by the *Imam* is for himself, and he is excused for it due to his forgetfulness. As for you, if you stood and performed a *Rak'ah* after him, you would have performed an extra *Rak'ah* without excuse, and that invalidates the prayer. (Written on 25/7/1407 A. H.)

Q. 273. A man performs the night prayer and the night prayer is performed two *Rak'ahs* at a time, but he stood up forgetfully and prayed a third *Rak'ah* what should he do?

A. He would have sat down in the *Tashahhud* at the time he remembered that he has wrongly started the third *Rak'ah*, if he does not sit, it would be considered that he deliberately increased the prayer, and his prayer will be invalid; and regarding this, Imam Ahmad wrote that if he stood up in the night prayer for a third *Rak'ah*, it is the same as if he stood up to pray a third *Rak'ah* in the *Fajr* prayer. That is to say, if he did not go back, his prayer would be invalid. The exception from this rule is *Witr*, because it is permissible for a person to pray more than two *Rak'ahs*. So, if he offered *Witr* as three *Rak'ahs* then it would be permissible.

Based upon this, if a person began to pray *Witr* with the intention of offering two *Rak'ahs*, then he made the *Taslim* and then offered a third *Rak'ah*, but he forgot and stood up for the third *Rak'ah* without making the *Taslim*, then we say to him: Complete the third *Rak'ah*, because it is permissible in *Witr* to exceed two *Rak'ahs*.

Q. 274. A worshipper in prayer stood up instead of sitting for the *Tashahhud* and before he started the recitation, he remembered, should he sit down in *Tashahhud*? And when should he perform the prostration of forgetfulness in this situation, before the *Taslim*, or after it?

A. In this situation, he should not go back, because he has completely left the *Tashahhud* since he has reached the next pillar. It is therefore disliked for him to go back. Although going back does not invalidate his prayer, because he has not done anything unlawful. However, he must perform the prostration of forgetfulness and it should be before the *Taslim*.

Q. 275. What is the ruling on *Witr*, and is it something peculiar to Ramadan?

A. *Witr* is a compulsory *Sunnah* in Ramadan and at other times, so much so that Imam Ahmad and others said: Whoever abandons *Witr* then he is a bad man, and his testimony should not be accepted.

So, it is a compulsory *Sunnah*, and it is not befitting for a Muslim to abandon it neither in Ramadan, nor at any other time and *Witr* is to seal the night prayer with a single *Rak'ah*; it is not, as some of the common people think, *Qunut*. *Qunut* is one thing, and *Witr* is another: *Witr* is that one seals the night prayer with a single *Rak'ah* or three together.

In any case, *Witr* is a compulsory *Sunnah* in Ramadan and in other months, so it is not befitting for a Muslim to abandon it.

Q. 276. We request that Your Eminence describe the *Sunnah* regarding the supplication of *Qunut* and tell us if there are special supplications for it? And is it prescribed to make it long in the *Witr* prayer?

A. Included in the supplication of *Qunut* is that which was taught by the Prophet ﷺ to Hasan bin 'Ali bin Abu Talib, may Allâh be pleased with them:

«اللَّهُمَّ اهْدِنِي فِيمَنْ هَدَيْتَ، وَعَافِنِي فِيمَنْ عَافَيْتَ»

(Allâhummahdini Feeman Hadait, Wa 'Afini Feeman 'Afait.)

"Oh, Allâh! Guide me among those whom You guide and pardon me among those whom You pardon."[1]

up to the end of the well known supplication; and the *Imam* says:

«اللَّهُمَّ اهْدِنَا»

[1] Reported by At-Tirmithi, in the Chapters on Prayer, Chapter: What Has Been Said Regarding *Qunut* in *Witr* (464).

Allâhummahdina (Oh, Allâh! Guide us) using the first person plural pronoun, because he is supplicating for himself and for those behind him.

If he said anything suitable, there is no sin, but it is not fitting for him to prolong the supplication to such an extent that it becomes difficult for those being led in prayer, or causing them to become bored. The Prophet ﷺ became angry with Mu'ath, may Allâh be pleased with him, when he prolonged the prayer with his people and said:

«أَفَتَّانٌ أَنْتَ يَا مُعَاذُ»

"Are you one who is a cause of trial, oh, Mu'ath?."[1]

Q. 277. Is it part of the *Sunnah* to raise the hands when making the supplication of *Qunut*, and what is the evidence for that?

A. Yes, it is part of the *Sunnah* for a person to raise his hands when he makes the supplication of *Qunut*. This has been reported from the Messenger of Allâh ﷺ in his *Qunut*, when he used to perform *Qunut* in the obligatory prayers at times of calamity. Likewise, it has been authentically reported from the Commander of the Faithful, 'Umar bin Al-Khattab, may Allâh be pleased with him, that he raised his hands in the *Qunut* of *Witr* and he was one of the righteous caliphs whom we were ordered to follow.

So, raising the hands when making the *Qunut* of *Witr* is a *Sunnah* whether it be for an *Imam* or one who is led in prayer, or a single worshipper. Therefore, whenever you make *Qunut*, raise your hands.

Q. 278. What is the ruling on *Qunut* in the obligatory prayers? And what is the ruling if the Muslims are afflicted by some calamity?

[1] Reported by Al-Bukhari in the Book of the *Athan*, in the Chapter: Whoever Complained of His *Imam* if He Prolonged the Prayer (705).

A. *Qunut* in the obligatory prayers is not legislated, and it is not desirable that it should be done. However, if the *Imam* performs *Qunut*, you should follow him, because discord is evil.

If the Muslims are afflicted by some calamity, then there is no objection in that case to their making *Qunut* in order to ask Allâh, the Most High to remove it.

Q. 279. What is the ruling on *Tarawih* and how many *Rak'ahs* is it?

A. The *Tarawih* prayer is a *Sunnah* which was prescribed by the Messenger of Allâh ﷺ and it is reported in the *Two Sahihs* on the authority of 'Aishah, may Allâh be pleased with her, that the Prophet ﷺ prayed in the *Masjid* one night and some people prayed with him. Then he prayed on the next night and the people had become numerous, then they gathered on the third night or the fourth night, but the Messenger of Allâh ﷺ did not come out. Then in the morning, he said:

«قَدْ رَأَيْتُ الَّذِي صَنَعْتُمْ، فَلَمْ يَمْنَعْنِي مِنَ الْخُرُوجِ إِلَيْكُمْ إِلَّا أَنِّي خَشِيتُ أَنْ تُفْرَضَ عَلَيْكُمْ»

"I saw what you did, and nothing prevented me from coming out to you except that I feared it would become an obligation upon you."[1]

As for the number of *Rak'ahs*, it is eleven *Rak'ahs* according to what has been reported in the the *Two Sahihs* on the authority of 'Aishah, may Allâh be pleased with her. She was asked how the prayer of the Prophet ﷺ was in Ramadan, and she said: "He did not pray more than eleven *Rak'ahs*, neither in Ramadan, nor in

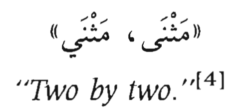
[1] Reported by Al-Bukhari in the Book of *Tahajjud*, in the Chapter: The Encouragement of the Prophet ﷺ to Offer the Night Prayer (1129); and by Muslim in the Book of the Travellers' Prayers, in the Chapter: The Encouragement of Offering the Night Prayer in Ramadan (177).

any other month."[1]

If one prayed thirteen *Rak'ahs*, then there is no objection, according to the words of Ibn 'Abbas, may Allâh be pleased with them: "The Prayer of the Prophet ﷺ was thirteen *Rak'ahs*. that is, the night prayer."[2]

Eleven *Rak'ahs* is what has been confirmed from 'Umar bin Al-Khattab, may Allâh be pleased with him, as reported in (Imam Malik's) *Al-Muwatta'* with a chain of narrators that is one of the most authentic of chains.[3]

If one prayed more than this, then there is no objection, according to the words of the Prophet ﷺ, when he was asked about the night prayer, he said:



"Two by two."[4]

He did not define a number. A number of different forms have been reported from the *Salaf*, and there is room for choosing in the matter. But it is preferable to restrict oneself to what has been reported from the Prophet ﷺ, which is eleven *Rak'ahs*, or thirteen *Rak'ahs*.

[1] Reported by Al-Bukhari in the Book of *Tahajjud*, in the Chapter: The Night Prayer of the Prophet ﷺ (1147); and by Muslim in the Book of the Travellers' Prayers, in the Chapter: The Night Prayer (125).

[2] Reported by Al-Bukhari in the Book of *Tahajjud*, in the Chapter: The Manner of the Prophet's Prayer, *Hadith* (1138); and it was reported by Muslim in the Book of the Travellers' Prayers, in the Chapter: The Supplication in the Night Prayer, *Hadith* 194 (764).

[3] Reported by Imam Malik in the Book of Prayers, in the Chapter: What Has Been Said Regarding the Night Prayer in Ramadan 1:110 (280).

[4] Reported by Al-Bukhari in the Book of *Witr*, in the Chapter: What Has Been Said Regarding *Witr* (990); and by Muslim in the Book of Prayer, in the Chapter: The Night Prayer Two by Two (145).

It has not been authentically reported from the Prophet ﷺ that he or any of the caliphs that they prayed twenty-three; rather what is confirmed from 'Umar, may Allâh be pleased with him, is that he prayed eleven *Rak'ahs*, since he ordered Ubayy bin Ka'b and Tamim Ad-Dari, may Allâh be pleased with them, to stand for the people and pray eleven *Rak'ahs*.[1]

This is what was deemed proper by such as 'Umar, may Allâh be pleased with him, that his way in this matter be that of the Messenger of Allâh ﷺ.

We are unaware that any of the Companions, may Allâh be pleased with them, prayed more than twenty-three *Rak'ahs*; indeed it is clear that the opposite is the case. And we have already mentioned the saying of 'Aishah, may Allâh be pleased with her: "He did not pray more than eleven *Rak'ahs*, neither in Ramadan, nor in any other month."

As for the consensus of the Companions, may Allâh be pleased with them, there is no doubt that it is an evidence, because among them are the righteous caliphs whom the Prophet ﷺ ordered us to follow, and because they are the best of generations from this (Muslim) nation.

You should know that the difference of opinion regarding the number of *Rak'ahs* in *Tarawih* and the like is in a matter in which it is permissible to exercise *Ijtihad*. It is undesirable that it should be a cause of differing and schism between the people, especially since the *Salaf* differed in the matter. There is nothing in the matter to prevent the exercise of *Ijtihad*. How fine is the saying of one of the scholars, when a person differed with him in his *Ijtihad* in a matter in which it was permissible: By contradicting me, you have agreed with me, for both of us consider that it is obligatory to follow what one sees to be the

[1] Reported by Malik in the Book of Prayer, in the Chapter on the Night Prayer in Ramadan (280).

truth, since it is permissible to exercise *Ijtihad*. We ask Allâh, the Most High that He grant us all success in attaining that which He loves and is pleasing to Him.

Q. 280. What is the ruling on making the supplication for completing the recitation of the Qur'ân during the night prayer in the month of Ramadan?

A. I know of no *Sunnah* from the Prophet ﷺ regarding completing the recitation of the Qur'ân during the night prayer in the month of Ramadan, nor from his Companions, may Allâh be pleased with them. The most which has been reported in this regard is that whenever Anas bin Malik, may Allâh be pleased with him, completed the recitation of the Qur'ân, he would gather his family and supplicate, but this is not in the prayer.

Also, with regard to such completion, along with the fact that no basis has been confirmed for it in the *Sunnah*, is the fact that the people especially women gather in large numbers in this particular *Masjid* and this results in mixing of men and women at the time of leaving, which is well known to those who have witnessed it.

However, some of the scholars have said that it is recommended to complete the recitation of the Qur'ân with this supplication.

If the *Imam* supplicated the prayer of completion in the last part of the night and made it in the place of the *Qunut* of *Witr*, there would be no objection to that, since *Qunut* has been legislated.

Q. 281. Is *Lailatul-Qadr* fixed on a certain night in every year, or does it move from one night to another?

A. There is no doubt that *Lailatul-Qadr* is in Ramadan, according to the Words of Allâh, the Most High:

﴿إِنَّآ أَنزَلْنَٰهُ فِى لَيْلَةِ ٱلْقَدْرِ﴾

"Verily, We have sent it (this Qur'an) down in the Night of Al-

Qadr (Decree)."[1]

And Allâh, the Most High has made clear in another Verse that He sent down the Qur'ân in Ramadan, for He, the Almighty, the All-Powerful says:

﴿شَهۡرُ رَمَضَانَ ٱلَّذِىٓ أُنزِلَ فِيهِ ٱلۡقُرۡءَانُ﴾

"The month of Ramadan in which was revealed the Qur'an."[2]

And the Prophet ﷺ performed *I'tikaf* in the first ten days of Ramadan, seeking *Lailatul-Qadr*, then he performed *I'tikaf* in the second ten days, then he saw it in the last ten days of Ramadan.[3] Then the visions of a number of the Companions of the Prophet ﷺ agreed that it was in the last seven nights of Ramadan, and he said:

«أَرَى رُؤْيَاكُمْ قَدْ تَوَاطَأَتْ فِي السَّبْعِ الْأَوَاخِرِ فَمَنْ كَانَ مُتَحَرِّيهَا فَلْيَتَحَرَّهَا فِي السَّبْعِ الْأَوَاخِرِ»

"I see that your visions have agreed that it is in the last seven nights, so whoever was seeking it, let him seek it in the last seven nights."[4]

This is the least thing which has been reported about it being restricted to a particular time.

If we examine the evidences reported regarding *Lailatul-Qadr*, it becomes clear to us that it moves from one night to another and that it is not on a fixed night every year. For the Prophet ﷺ was shown *Lailatul-Qadr*, in a dream, and he was prostrating in the

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[1] *Al-Qadr* 97:1

[2] *Al-Baqarah* 2:185

[3] Reported by Al-Bukhari in the Book of the Virtue of *Lailatul-Qadr*, in the Chapter: Seeking *Lailatul-Qadr* (2016); and by Muslim in the Book of Fasting, in the Chapter: The Virtue of *Lailatul-Qadr*(215).

[4] Reported by Al-Bukhari in the Book of the Virtue of *Lailatul-Qadr*, in the Chapter: Seeking *Lailatul-Qadr* (2015); and by Muslim in the Book of Fasting, in the Chapter: The Virtue of *Lailatul-Qadr* (215).

morning after it in water and mud, and that night was the night of the twenty-first.[1] He ﷺ said:

«تَحَرَّوْا لَيْلَةَ الْقَدْرِ فِي الْعَشْرِ الأَوَاخِرِ مِنْ رَمَضَانَ»

"Search for Lailatul-Qadr in the last ten nights of Ramadan."[2]

This proves that it is not confined to a fixed night and the consensus of the evidences proves this. So a person should hope that he may encounter *Lailatul-Qadr* on every one of the last ten nights of Ramadan. The reward of *Lailatul-Qadr* is attained by the one who undertakes it with faith and hoping for the reward of it, whether he knows when it occurred or not, because the Prophet ﷺ said:

«مَنْ قَامَ لَيْلَةَ الْقَدْرِ إِيمَاناً وَاحْتِسَابًا غُفِرَ لَهُ مَا تَقَدَّمَ مِنْ ذَنْبِهِ»

"Whoever stood in prayer on Lailatul-Qadr, with faith and hoping for a reward, he will be forgiven all of his previous sins."[3]

And he did not say: if he knew that he had caught it, so it is not a condition of attaining the reward of *Lailatul-Qadr* that the one who performs the night prayer on that night knows exactly which night it is. Instead, whoever performed the night prayer in all of the last ten nights of Ramadan with faith, and hoping for a reward, we can be sure that he will catch *Lailatul-Qadr*, whether it is at the beginning of the ten, in the middle of them, or at the end of them. And Allâh is the Granter of success.

[1] The reference for this *Hadith* was mentioned previously in the above location.

[2] Reported by Al-Bukhari in the Book of *Tarawih* Prayers, in the Chapter: Seeking *Lailatul-Qadr* on the Uneven Numbers of the Last Ten Nights (1913); and by Muslim in the Book of Fasting, in the Chapter: The Virtue of *Lailatul-Qadr* (1169).

[3] Reported by Al-Bukhari in the Book of Faith, in the Chapter: The Voluntary Performance of the Night Prayer in Ramadan is a Part of Faith (37); and by Muslim in the Book of the Travellers' Prayers, in the Chapter: The Encouragement to Perform the Night Prayer in Ramadan (173).

Q. 282. What is the ruling on those being led in prayer holding copies of the Qur'ân during the *Tarawih* prayers in Ramadan, for the purpose of following the *Imam*?

A. Holding a copy of the Qur'ân for this purpose is contradictory to the *Sunnah* for a number of reasons:

1. That a person is unable to place his right hand over his left hand while standing.

2. That it leads to frequent unnecessary movements, such as opening the Book and closing it, placing it under the arm, or in the pocket etc.

3. That in fact, these movements distract the worshipper (from his prayers).

4. That the worshipper is unable to look at the place of prostration and most of the scholars consider that looking at the place of prostration is a *Sunnah* and is preferred.

5. That the one who does so might forget that he is in prayer, if his heart does not call to mind that he is praying. If he were in a state of humility, placing his right hand over his left hand, with his head lowered, looking towards the place of prostration, then it is more likely that he will call to mind that he is praying, and that he is behind an *Imam*.

Q. 283. The *Imams* in some *Masjids* try to soften the hearts of the people and produce an effect on them by changing the tone of their voice at times during the *Tarawih* prayers. I have heard some people express disapproval of that; what is your view on this, may Allâh protect you?

A. I consider that if this act is within the limits of the Islamic Law, without being excessive, then there is no objection to it and there is no sin in it. Abu Musa Al-Ash'ari, may Allâh be pleased with him, said to the Prophet ﷺ: "If I had known that you were

listening to my recitation, I would have made it more elegant."[1] That is, I would have beautified it and embellished it.

So, if some people beautify their voices or recite in a manner which softens the hearts, then I do not see any objection. However, if the exaggeration is such that he does not recite a single word in the Qur'ân without doing this thing which was mentioned in the question, I consider that this is a form of excess and it is undesirable that one should do it. And Allâh knows best.

Q. 284. Some of the scholars say that the time of the *Sunan* before and after the regular prayers is from the start of the time of the obligatory prayer and ends when the time of the obligatory prayers ends. Some of them say that the time for the prayers before the obligatory prayer ends once the obligatory prayer is performed; what is the most authoritative opinion?

A. The most authoritative opinion is that the time for the *Sunnah* before the obligatory prayer, is between the start of the time of that prayer and the time of its performance. So, the time for the regular prayers before the *Zuhr* prayer begins from the *Athan* of *Zuhr*, i.e. from the time when the sun passes its zenith and it ends with the performance of the prayer, i.e. the *Zuhr* prayer.

The time for the *Sunnah* following the obligatory prayer begins with the end of that prayer and ends when the permissible time for the performance of it ends.

But if the time for the *Sunnah* before the obligatory prayer has passed without it being due to neglect on someone's part, then he may make it up after the obligatory prayer. However, if he delayed the performance of the regular *Sunnah* before the obligatory prayer without an excuse, then it will not benefit him even if he

[1] Reported by Al-Baihaqi in the Book of Testimonies, in the Chapter: Beautifying the Voice When Reciting the Qur'an 10:231; and by Abu Ya'la 13:266 (7279).

made it up. This is because the correct opinion is that every act of worship is bound to a fixed time, and if that time passes without any excuse, then it is not correct, and it is not accepted.

Q. 285. What is the ruling on making up for the *Sunnah* of *Fajr* after the *Fajr* prayer by one who was unable to perform it before the prayer? And does this contradict the prohibition of praying after the *Fajr* prayer?

A. There is no objection to a person making up for the *Sunnah* of *Fajr* after the *Fajr* prayer, according to the most authoritative opinion.

This does not contradict the *Hadith* prohibiting the offering of prayer, because what is prohibited is prayer for which there is no reason.

But if he delayed making it up until after sunrise and he did not fear that he will forget it or be too busy to pray it, then that is preferable.

Q. 286. If a person entered the *Masjid* before the *Athan* and offered the salutation to the *Masjid* prayer, then the *Mu'aththin* called the *Athan*, is it prescribed for him to offer a supererogatory prayer?

A. If the *Athan* was for the *Fajr* prayer or the *Zuhr* prayer, after the *Mu'aththin* had completed the *Athan*, he should offer the regular two *Rak'ah* prayer for *Fajr* and four *Rak'ahs* before *Zuhr*. If the *Athan* was for any of the other prayers, then it is prescribed for him to offer a supererogatory prayer also, according to the words of the Prophet ﷺ:

«بَيْنَ كُلِّ أَذَانَيْنِ صَلَاةٌ»

"Between every two Athans[1] *there is a prayer."*[2]

[1] The *Athan* and the *Iqamah*.

[2] Reported by Al-Bukhari in the Book of the *Athan*, in the Chapter: Between Every Two *Athans* There is a Prayer (627); and by Muslim in

Q. 287. Should the regular *Sunnah* prayers be made up for if the time for them has expired?

A. Yes, the regular *Sunnah* prayers may be made up for if the time for them has passed due to forgetfulness or sleep, because they are included in the general meaning of the words of the Prophet ﷺ:

«مَنْ نَامَ عَنْ صَلاَةٍ أَوْ نَسِيَهَا فَلْيُصَلِّهَا إِذَا ذَكَرَهَا»

"Whoever slept through a prayer or forgot it, he must pray it when he remembers it."[1]

Also, because of the *Hadith* of Umm Salamah, may Allâh be pleased with her, in which it is stated that the Prophet ﷺ was distracted from performing two *Rak'ahs* after the *Zuhr* prayer, so he made them up after the *'Asr* prayer.[2]

But if he abandoned it willfully until the time for it had expired, then he should not make it up for, because the regular *Sunnah* prayers are acts of worship which are to be performed at fixed times, and if a person deliberately offered them outside the prescribed time, they will not be accepted from him.

Q. 288. Has any evidence been reported for a person changing his place in order to perform the prayer after the obligatory prayer?

A. Yes, it has been reported in the *Hadith* of Mu'awiyah, may

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the Book of the Travellers' Prayers, in the Chapter: Between Every Two *Athans* There is a Prayer (304).

[1] Reported by Al-Bukhari in the Book of the Times of the Prayers, in the Chapter: Whoever Forgot a Prayer, The He Must Pray it When he Remembers *Hadith* (597); and by Muslim in the Book of *Masjids*, in the Chapter: Making up for the Prayers *Hadith* 316.

[2] Reported by Al-Bukhari in the Book of Forgetfulness, in the Chapter: If He Was Spoken to While He was Praying, He Would Point With His Hand and Listen (1176); and by Muslim in the Book of the Travellers' Prayers, in the Chapter: The Two *Rak'ahs* Which He Used to Pray (834).

Allâh be pleased with him, that he said: "The Prophet ﷺ ordered us not to connect one prayer to another without speaking or going out."[1]

The scholars have understood from this that it is desirable to separate the obligatory prayer from its *Sunan* by moving from the place in which the former was offered.

Q. 289. If the *Sunnah* of *Ad-Duha*[2] is missed, can it be made up for or not?

A. If the time of *Ad-Duha* is missed, then the prayer is missed. This is because the *Sunnah* of *Ad-Duha* is restricted to this time. However the regular *Sunnah* prayers, because they follow on from the obligatory prayers, can be made up for, as can the *Witr* prayer. This is because it is confirmed in the *Sunnah* that: When the Prophet ﷺ was overcome by sleep or sickness, he would offer twelve *Rak'ahs* during the day.[3] So, *Witr* may also be made up for.

Q. 290. Is purification a condition for the acceptance of the prostration of recitation (*Sajdatut-Tilawah*)? And what is the correct thing to say in this prostration?

A. His Eminence the Shaikh answered by saying:

The prostration of recitation is a prostration legislated when a person recites a Qur'ânic Verse in which there is a mention of prostration. The prostrations in the Qur'ân are well known; and if a person wanted to prostrate, he should say: *Allâhu Akbar,* then prostrate, and say:

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[1] Reported by Muslim in the Book of the Friday Prayer, in the Chapter: Prayer After the Friday Prayer (73).

[2] The voluntary prayer that is performed after the sun has risen.

[3] Reported by Muslim in the Book of the Travellers' Prayers, in the Chapter: Combining the Night Prayers (139).

«سُبْحَانَ رَبِّيَ الأَعْلَى» «سُبْحَانَكَ اللَّهُمَّ رَبَّنَا وَبِحَمْدِكَ اللَّهُمَّ، اغْفِرْلِي» . «اللَّهُمَّ لَكَ سَجَدْتُ، وَبِكَ آمَنْتُ، وَلَكَ أَسْلَمْتُ. سَجَدَ وَجْهِيَ لِلَّذِي خَلَقَهُ، وَصَوَّرَهُ، وَشَقَّ سَمْعَهُ وَبَصَرَهُ بِحَوْلِهِ وَقُوَّتِهِ»

(*Subhana Rabbiyal A'la, Subhanaka Allâhumma Rabbana Wa Bihamdika, Allâhummaghfirlee. Allâhumma, Laka Sajadtu, Wa Bika Amantu, Wa Laka Aslamtu, Sajada Wajhiya Lil-lathee Khalaqahu, Wa Sawwarahu, Wa Shaqqa Sam'ahu Wa Basarahu Bihawlihi Wa Quwwatihi.*)

"Glorified is my Lord, the Most High. Glory is to You, oh, Allâh, my Lord, and praise is for You. Oh, Allâh, forgive me. Oh, Allâh! I have prostrated for You, and I have believed in You, and I have submitted myself to You. My face has prostrated to the One Who created it, and fashioned it, and brought forth its hearing and seeing by His Might and Power."[1]

«اللَّهُمَّ اكْتُبْ لِي بِهَا أَجْرًا، وَحُطَّ عَنِّي بِهَا وِزْرًا، وَاجْعَلْهَا لِي عِنْدَكَ ذُخْرًا، وَتَقَبَّلْهَا مِنِّي كَمَا تَقَبَّلْتَهَا مِنْ عَبْدِكَ دَاوُدَ»

(*Allâhummaktub Lee Biha Ajran, Wa Hutta 'Anni Biha Wizran, Waj'alha Lee 'Indaka Thukhran, Wa Taqabbalha Minnee Kama Taqabbaltaha Min 'Abdika Dawud.*)

"Oh, Allâh, write for me by it a reward, and remove from me by it a sin, and make it a treasure stored with You, and accept it from me as You accepted it from Your slave, Dawud."[2]

Then he should raise his head without making *Takbir* and

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[1] Reported by Abu Dawud in the Book of Prayer, in the Chapter: What to Say if One Prostrates for Recitation (1414); and by At-Tirmithi in the Book of Prayer, in the Chapter: What to Say in the Prostration of the Qur'an *Hadith* (580) and he declared it to be authentic.

[2] Reported by Al-Bukhari in the Book of the *Athan*, in the Chapter: Completing the *Takbir* in the *Ruku'*, *Hadith* (785); and by Muslim in the Book of Prayer, in the Chapter: Confirmation of the *Takbir* in Every, *Hadith* 27 (392).

without making *Taslim*, unless the *Sajdah* is during the prayer. When the reciter reads a Verse in which there is a *Sajdah* while he is praying, in that case, it is obligatory for him to make *Takbir* when he prostrates, and he must make *Takbir* when he stands up. This is because those who have described the prayer of the Prophet ﷺ have mentioned that he made *Takbir* whenever he lowered himself or raised himself up. And this includes the *Sujud* during the prayer and the *Sujud* of recitation.

As for what some of the people do, which is to make *Takbir* when they prostrate, and not to make *Takbir* when they stand up, and the *Sujud* is in the same prayer, I know of no basis for it in the *Sunnah*, nor in the sayings of the scholars.

As for the saying of the questioner: Is purification a condition for the acceptance of the prostration of recitation (*Sajdatut-Tilawah*)? this is a subject of dispute among the scholars: There are those among them who say that he must be in a state of ritual purification and there are those among them who say that it is not a condition and Ibn 'Umar, may Allâh be pleased with him, used to prostrate when he was not in a state of ritual purity.

But it is my considered opinion that it is more prudent not to prostrate except when one has performed ablution.

Q. 291. When should one perform the prostration of thanks to Allâh (*Sajdatush-Shukr*)? And what is the manner of it? And is it a condition that one make ablution?

A. The prostration of thankfulness is made when some catastrophe is averted or some blessing is given to a person. Like the prostration of recitation, it is outside prayer. Some of the scholars consider that it requires ablution and *Takbir*, while others hold that it requires the first *Takbir* only, then he should fall down in prostration and supplicate after his words: *Subhana Rabbiyal-A'la* (Glorified is my Lord, the Most High).

Q. 292. What is the ruling on *Istikharah* prayer? And should the supplication of *Istikharah* be said when a person offers the salutation to the *Masjid* or the regular *Sunnah* prayers?

A. *Istikharah* is a *Sunnah* when a person is concerned about something, and it is not clear to him whether it is better to do it or to leave it.

As for something about which it is clear to him whether doing it or leaving it is better, it is not prescribed to perform *Istikharah* for it, which is why the Prophet ﷺ would do many things, and he would not do them until after he had decided for sure to do them, and it has not been reported from him that he used to offer *Istikharah* prayer concerning them. So, if a man intended to pray, or pay *Zakah*, or to abandon unlawful deeds or the like, or he intended to eat or drink or sleep, it is not prescribed for him to offer *Istikharah* prayer.

The supplication of *Istikharah* should not be said when a person offers the prayer of salutation to the *Masjid*, or the regular *Sunnah* prayers, if he did not make the intention for it previously. This is because the *Hadith* clearly requires offering two *Rak'ahs* for the performance of *Istikharah*, so if he prayed them without this intention, compliance would not have been achieved.

But if he made the intention to perform *Istikharah* when he offered the prayer of salutation to the *Masjid*, or the regular *Sunnah* prayers, then made the supplication of *Istikharah*, then it is clear from the *Hadith* that it will be counted for him, because he ﷺ said:

«فَلْيَرْكَعْ رَكْعَتَيْنِ مِنْ غَيْرِ الْفَرِيضَةِ»

"...then he should offer two Rak'ahs which are not from the obligatory prayers."[1]

[1] Reported by Al-Bukhari in the Book of Supplications, in the Chapter: The Supplication When Performing *Istikharah* (6382).

He did not make an exception for any prayer but the obligatory. It is possible that they will not be counted for him, because he said:

«إِذَا هَمَّ فَلْيَرْكَعْ»

"If anyone of you intends to do something, then he should offer two Rak'ahs."

which proves that there is no reason for these two *Rak'ahs* except *Istikharah*, so what I consider more fitting, is that he offer two independent *Rak'ahs*, because this possibility exists, and it is possible that what is meant by singling out the obligatory prayers for exception is that he offers two voluntary *Rak'ahs*, as if he had said: Let him offer two voluntary *Rak'ahs*, and Allâh knows best.

Q. 293. What is *Tasbih* prayer?

A. *Tasbih* prayer has not been authentically reported from the Prophet ﷺ; Imam Ahmad, may Allâh have mercy on him, said: Regarding the *Hadith* about it, it is not authentic. Shaikhul-Islam Ibn Taimiyyah, may Allâh have mercy on him, said: It is a lie, and Ahmad and the Imams of his *Mathhab* have said that it is hated, and not a single Imam said that it was recommended. As for Abu Hanifah, Malik and Ash-Shafi'i, none of them had heard of it.

These are the words of Shaikhul-Islam Ibn Taimiyyah, may Allâh have mercy on him, and they are true. If this prayer were truly from the Prophet ﷺ, the Imams would have transmitted it in a manner which left no doubt about it, due to the great benefit of it, and because it is different from the rest of the types of prayers, indeed the types of worship. For we know of no act of worship in which a person is free to choose in this manner whether he does it every day or once a week or once a month or once a year or once in a lifetime. If something is unlike

anything else of its kind, the people would have been careful to transmit it, and it would be common knowledge among them, due to its unusual nature. Since this is not the case, then it is known that this prayer is not legislated, which is why none of the Imams recommended it.

Q. 294. What is the ruling on performing two *Rak'ahs* on the wedding night before having sexual intercourse with the wife?

A. Some of the Companions, may Allâh be pleased with them, used to offer a two-*Rak'ah* prayer on the first night before having sexual intercourse with their wives,[1] however, I know of no authentic *Sunnah* from the Messenger of Allâh ﷺ in this regard.

It is prescribed to take the woman by the forelock and to ask Allâh for the good in her and in the disposition which He has given her, and he should seek refuge with Allâh from the evil in her and the evil which might come to him from her.[2] If he fears at this time that the woman will flee from him, he should take her by her forelock, as though he wishes to get close to her and supplicate using these words, quietly, so that she does not hear them, because some women might misunderstand if the husband said: I seek refuge with You from the evil which is in her and the evil which might come to me from her, and say: Is there evil in me?

Q. 295. What are the times when it is prohibited to offer prayer? And regarding the prayer of salutation to the *Masjid* before the *Maghrib* prayer, is it before the *Athan* or after it? Advise us, and may Allâh reward you with goodness.

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[1] See *Al-Musannaf* by 'Abdur-Razzaq 6:191 and *Al-Majma'* by Al-Haithami 4:291.

[2] Reported by Abu Dawud in the Book of Wedlock, in the Chapter: Regarding Sexual Intercourse in Marriage, *Hadith* (2160).

A. The times when it is prohibited to offer prayer are:

1. From after the *Fajr* prayer until the sun rises casting a shadow as long as a spear, i.e. until between a quarter of an hour and twenty minutes after sunrise.

2. About ten minutes before the sun reaches its zenith, and that is about ten minutes before the start of the time for the *Zuhr* prayer.

3. From after the *'Asr* prayer until the sun has completely set. These are the times when it is prohibited to offer prayer.

As for the prayer of salutation to the *Masjid*, it is legislated at all times, so whenever you enter the *Masjid*, do not sit until you have offered two *Rak'ahs*, even at the times when prayer is prohibited.

It should be known that the most authoritative opinion among the views held by the scholars, is that there is no prohibition regarding any of the supererogatory prayers for which there is a reason. In fact, they should be performed even at the times when prayer is prohibited.

Therefore, if you entered the *Masjid* after the *Fajr* prayer, you should offer two *Rak'ahs* and if you entered it after the *'Asr* prayer, you should offer two *Rak'ahs* and if you entered the *Masjid* just before the sun reached its zenith, then you should offer two *Rak'ahs* and if you entered it at any time of the day or night, you should not sit until you have offered two *Rak'ahs*.

Q. 296. What is the ruling on the congregational prayer?

A. The scholars are in agreement that it is one of the greatest acts of obedience, one of the most confirmed of them, and one of the best of them. Allâh, the Most High has mentioned it in His Book, and commanded it even in times of fear, for He, the Most High says:

﴿وَإِذَا كُنتَ فِيهِمْ فَأَقَمْتَ لَهُمُ ٱلصَّلَوٰةَ فَلْتَقُمْ طَآئِفَةٌ مِّنْهُم مَّعَكَ وَلْيَأْخُذُوٓا۟ أَسْلِحَتَهُمْ فَإِذَا سَجَدُوا۟ فَلْيَكُونُوا۟ مِن وَرَآئِكُمْ وَلْتَأْتِ طَآئِفَةٌ

أُخْرَىٰ لَمْ يُصَلُّوا۟ فَلْيُصَلُّوا۟ مَعَكَ وَلْيَأْخُذُوا۟ حِذْرَهُمْ وَأَسْلِحَتَهُمْ ۗ وَدَّ ٱلَّذِينَ كَفَرُوا۟ لَوْ تَغْفُلُونَ عَنْ أَسْلِحَتِكُمْ وَأَمْتِعَتِكُمْ فَيَمِيلُونَ عَلَيْكُم مَّيْلَةً وَٰحِدَةً ۚ وَلَا جُنَاحَ عَلَيْكُمْ إِن كَانَ بِكُمْ أَذًى مِّن مَّطَرٍ أَوْ كُنتُم مَّرْضَىٰٓ أَن تَضَعُوٓا۟ أَسْلِحَتَكُمْ ۖ وَخُذُوا۟ حِذْرَكُمْ ۗ إِنَّ ٱللَّهَ أَعَدَّ لِلْكَٰفِرِينَ عَذَابًا مُّهِينًا﴾

"When you (O Messenger Muhammad ﷺ) are among them, and lead them in As-Salat (the prayer), let one party of them stand up [in Salat (prayer)] with you taking their arms with them; when they finish their prostrations, let them take their positions in the rear and let the other party come up which have not yet prayed, and let them pray with you taking all the precautions and bearing arms. Those who disbelieve wish, if you were negligent of your arms and your baggage, to attack you in a single rush, but there is no sin on you if you put away your arms because of the inconvenience of rain or because you are ill, but take every precaution for yourselves. Verily, Allah has prepared a humiliating torment for the disbelievers."[1]

In the *Sunnah* of the Messenger of Allâh ﷺ, among the numerous *Ahadith* which prove the obligation to offer the prayers in congregation, is the saying of the Prophet ﷺ:

«لَقَدْ هَمَمْتُ أَنْ آمُرَ بِالصَّلَاةِ فَتُقَامَ، ثُمَّ آمُرَ رَجُلًا فَيُصَلِّيَ بِالنَّاسِ، ثُمَّ أَنْطَلِقَ بِرِجَالٍ مَعَهُمْ حُزَمٌ مِنْ حَطَبٍ إِلَى قَوْمٍ لَا يَشْهَدُونَ الصَّلَاةَ فَأُحَرِّقَ عَلَيْهِمْ بُيُوتَهُمْ بِالنَّارِ»

"I intended to order someone to pronounce the Iqamah for the prayer, then order someone to lead the people in prayer, then I intended to order some men with bundles of fire-wood to go to those people who did not attend the (compulsory, congregational) prayer and burn their houses over them."[2]

[1] *An-Nisa 4:102.*

[2] Reported by Al-Bukhari in the Book of the *Athan*, in the Chapter: The Obligation of the Congregational Prayers, *Hadith* (644); and by Muslim

And his words:

«مَنْ سَمِعَ النِّدَاءَ فَلَمْ يُجِبْ فَلَا صَلَاةَ لَهُ إِلَّا مِنْ عُذْرٍ»

"Whoever heard the call (to prayer) and did not answer it, there is no prayer for him, unless he has an excuse."[1]

And the words of the Prophet ﷺ to the blind man who sought permission from him to pray in his house:

«أَتَسْمَعُ النِّدَاءَ؟»

"Do you hear the call (to prayer)?"

He replied: "Yes." The Prophet ﷺ said:

«فَأَجِبْ»

"Then respond to it."[2]

Ibn Mas'ud, may Allâh be pleased with him, said: "You have seen us (i.e. the Companions) with the Messenger of Allâh ﷺ. No one keeps himself from it (i.e. the congregational prayer) except the hypocrite whose hypocrisy is well known, or the invalid. A man would be brought supported between two men to make him stand in the line."[3]

The correct view necessitates its obligation, because the Muslim community is one community, and unity will not be achieved without them gathering to perform their acts of worship, and

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in the Book of *Masjids*, in the Chapter: The Virtue of Praying in Congregation, *Hadith* 251 (651) and it is explained in the next answer.

[1] Reported by Ibn Majah in the Book of *Masjids*, in the Chapter: The Stern Treatment for Absenting Oneself From the Congregational Prayers, *Hadith* (793).

[2] Reported by Muslim in the Book of *Masjids*, in Chapter 43: It is an Obligation Upon One Who Hears the Call (to Prayer) to go to the *Masjid*, *Hadith* 255 (653).

[3] Reported by Muslim in the above-mentioned location (654).

the greatest of acts of worship, the best of them and the most confirmed of them is prayer. Therefore it is an obligation upon the Islamic community to congregate for this prayer.

The scholars, may Allâh have mercy on them, have differed, after agreeing that it is the most confirmed of the acts of worship, and the greatest act of obedience, as to whether it is a condition for the validity of the prayer, or whether the prayer is valid without it, even though it be a sin; and there are other differences of opinion.

The correct opinion is that it is an obligation in prayer, and not a condition for its validity. But that whoever abandons it is a sinner, unless there is some legal excuse for him. The evidence that it is not a condition for the validity of the prayer is that the Messenger ﷺ declared prayer in congregation to be better than prayer alone,[1] and prayer in congregation being better than prayer alone is an evidence that there is virtue in prayer alone, and this would not be so unless the prayer is valid.

In any case, it is an obligation upon every rational, adult, male Muslim to attend the congregational prayers, whether he is on a journey or at home.

Q. 297. A number of people live in one place; is it permissible for them to form a congregation in that dwelling, or are they obliged to go out to the *Masjid*?

A. It is an obligation upon those people who are in a dwelling to pray in the *Masjids*. For every person who is near a *Masjid* is obliged to pray in the *Masjid*. It is not permissible for an individual or for a group to pray in the house. Some people have claimed regarding this matter, based upon the saying of some of the scholars, may Allâh have mercy on them, that what is meant by congregational prayer is that the people gather for

[1] Reported by Muslim in the above-mentioned location, in Chapter 44, *Hadith* 256 (654).

prayer, even if it be in some place other than a *Masjid*, and that if the people pray in congregation, even if it be in their houses that they have fulfilled the obligation.

But the correct view is that the congregational prayers must be in the *Masjids*, according to the words of the Prophet ﷺ:

«لَقَدْ هَمَمْتُ أَنْ آمُرَ بِالصَّلَاةِ فَتُقَامَ، ثُمَّ آمُرَ رَجُلًا فَيُصَلِّيَ بِالنَّاسِ، ثُمَّ أَنْطَلِقَ بِرِجَالٍ مَعَهُمْ حُزَمٌ مِنْ حَطَبٍ إِلَى قَوْمٍ لَا يَشْهَدُونَ الصَّلَاةَ فَأُحَرِّقَ عَلَيْهِمْ بُيُوتَهُمْ بِالنَّارِ»

"I intended to order someone to pronounce the Iqamah for the prayer, then order someone to lead the people in prayer, then I intended to order some men with bundles of fire-wood to go to those people who did not attend the (compulsory, congregational) prayer and burn their houses over them."[1]

This was in spite of the fact that those people might have prayed in their own place.

So, it is an obligation on this group to pray with the congregation in the *Masjid*, unless they are far away and it would be difficult for them.

Q. 298. Is it preferable for an employee to go quickly to prayer upon hearing the *Athan*, or should he wait until he has completed some tasks? And what is the ruling on performing supererogatory prayers aside from the regular *Sunnah* prayers after it?

A. It is better for all of the Muslims to go early to prayer when they hear the *Athan*, because the *Mu'aththin* says: 'Hurry to prayer,' and being slow in responding to the *Athan* may result in the prayer being missed.

As for performing supererogatory prayers other than the

[1] The reference for this *Hadith* was mentioned in the previous answer.

regular *Sunnah* prayers, it is not permissible, because his time is the right of someone else, according to his contract of hire or employment. But as for the regular *Sunnah* prayers, there is no objection, because it is customary for those in charge to permit it. And Allâh is the Granter of success.

Q. 299. If the first *Rak'ah*, or the second was missed with the congregation, should the one making up for his prayer recite another *Surah* with *Surat Al-Fatihah*, since he is making up for what he had missed, or should he confine himself to reciting *Surat Al-Fatihah*?

A. The correct view is that what the one being led in prayer is making up after the *Taslim* of the *Imam* is the end of his prayer. So, based upon this, he should not recite anything except *Surat Al-Fatihah* in it, if what was missed was two *Rak'ahs* or one *Rak'ah* from the four *Rak'ah* prayers, or one *Rak'ah* from the *Maghrib* prayer. But as for the *Fajr* prayer, he should recite *Surat Al-Fatihah* and another *Surah*, because *Surat Al-Fatihah* and another *Surah* are recited in both *Rak'ahs*.

Q. 300. A worshipper entered while the *Imam* was in the second *Tashahhud*; should he join the congregation, or wait for another congregation? Deliver a verdict for us, and may Allâh reward you with goodness.

A. If a person enters while the *Imam* is in the second *Tashahhud*, if he expects that there will be a second congregation, he should not join with him, but if he does not expect that there will be a second congregation, he should join with him. This is because the most authoritative opinion is that the congregational prayer is not attained except by catching at least one *Rak'ah* of it, according to the general meaning of the statement of the Prophet ﷺ:

«مَنْ أَدْرَكَ رَكْعَةً مِنَ الصَّلَاةِ فَقَدْ أَدْرَكَ الصَّلَاةَ»

"Whoever caught a Rak'ah of the prayer has caught the prayer."[1]

Just as the Friday prayer is not caught except by catching at least one *Rak'ah*, so is the case with the congregational prayer. If one catches the *Imam* in the last *Tashahhud*, he will not have attained the congregational prayer, and so he should wait and pray it with the congregation which he is expecting. But if he is not expecting a second congregation, then joining with the *Imam* in order to catch what remains of the *Tashahhud* is better than leaving it.

Q. 301. What should be done if the *Iqamah* for the obligatory prayer is called, and the worshipper has started to offer the supererogatory prayer?

A. If the obligatory prayer begins and you have started to offer a supererogatory prayer, there are some scholars who say that you must discontinue it immediately, even if you are in the final *Tashahhud*.

And there are some scholars who say that it should not be discontinued unless you fear that the *Imam* will make the *Taslim* before you are able to make the opening *Takbir* and pray with him.

These are two opposing views:

1. That if the prayer begins, you should stop the supererogatory prayer, even if you were in the final *Tashahhud*.

2. That you should not stop it unless nothing remains of the prayer with the *Imam* except the equivalent of the time it would take to make the opening *Takbir*, in that case you should stop it. That is, you should continue with the prayer and not stop it, unless you feared that the *Imam* will make the *Taslim* before you

[1] Reported by Al-Bukhari and Muslim; and the reference for it was mentioned under no. 209.

are able to make the opening *Takbir* and catch the prayer with him.

These two opinions are contradictory; that is to say, according to the second view, you should continue with your prayer, even if you missed all of the *Rak'ahs*. So, as long as you make the opening *Takbir* before the *Imam* makes the *Taslim*, continue with this supererogatory prayer.

In my opinion, the middle way is better, that if the prayer begins while you are in the second *Rak'ah*, then complete it quickly, but if the prayer begins while you are in the first *Rak'ah*, then stop it, in accordance with the saying of the Prophet ﷺ:

«مَنْ أَدْرَكَ رَكْعَةً مِنَ الصَّلَاةِ فَقَدْ أَدْرَكَ الصَّلَاةَ»

"Whoever caught a Rak'ah of the prayer has caught the prayer."

So, if you have already prayed one *Rak'ah* before the start of the prayer, then you have caught one *Rak'ah* before the interdiction and prohibition began.

And if you caught one *Rak'ah* before the interdiction and prohibition began, then you have caught the prayer and all of the prayer becomes permissible, and so you should complete it, but quickly, because catching a portion of the obligatory prayer is better than catching a portion of the voluntary prayer.

But if you were in the first *Rak'ah*, you have not caught anything of the time in which the prayer is caught, because the Prophet ﷺ said:

«مَنْ أَدْرَكَ رَكْعَةً مِنَ الصَّلَاةِ فَقَدْ أَدْرَكَ الصَّلَاةَ»

"Whoever caught a Rak'ah of the prayer has caught the prayer."[1]

So, based upon this, you should stop it, because the Prophet ﷺ said:

[1] Reported by Al-Bukhari and Muslim; and the reference for it was mentioned under no. 209.

«إِذَا أُقِيمَتِ الصَّلَاةُ فَلَا صَلَاةَ إِلَّا الْمَكْتُوبَةُ»

"When the prayer begins, there is no prayer except the obligatory prayer."[1]

Q. 302. A person being led in prayer joined the prayer after the opening *Takbir* of the *Imam* and his recitation of *Surat Al-Fatihah*. Then he began to recite *Surat Al-Fatihah*, but the *Imam* had already bowed; should the one being led in prayer bow with him, or complete his recitation of *Surat Al-Fatihah*?

A. If a person being led in prayer joins the prayer, and the *Imam* wants to bow, and the one being led is not able to recite *Surat Al-Fatihah* if only a Verse or so remains so that it is possible for him to complete it and to catch the *Imam* in the *Ruku'*, then that is better. But if a lot remained, so that if he recited it, he would not catch the *Imam* in *Ruku'*, then he should bow with the *Imam*, even if he had not completed the recitation of *Surat Al-Fatihah*.

Q. 303. If a person being led in prayer caught the *Imam* in *Sujud*, should he wait until he stands up, or prostrate with him?

A. It is preferable to join with the *Imam* in whatever position he finds him and not to wait, according to the general meaning of the words of the Prophet ﷺ:

«فَمَا أَدْرَكْتُمْ فَصَلُّوا»

"Whatever you catch, pray it."[2]

[1] Reported by Muslim in the Book of the Travellers' Prayers, in the Chapter: The Dislike of Beginning a Voluntary Prayer After the *Mu'aththin* Starts.

[2] The reference for this *Hadith* was mentioned previously under no. 224.

Q. 304. His Eminence, the Shaikh was asked: If a worshipper in the silent prayers finished reciting *Surat Al-Fatihah* and another *Surah* before the *Imam* made *Ruku'*, should he be silent?

A. His Eminence answered: The one being led in prayer should not be silent if he finishes reciting *Surat Al-Fatihah* and another *Surah* before the Imam bows. Instead, he should recite until the *Imam* bows, even if it be in the two *Rak'ahs* which are after the first *Tashahhud* and he has completed *Surat Al-Fatihah* and the *Imam* has not bowed. Rather he should recite another *Surah* until the *Imam* bows, because there is no silence legislated in the prayer except when the one being led in prayer is listening to the recitation of his *Imam*.

Q. 305. What is the ruling on moving before the *Imam*?

A. Moving before the *Imam* is unlawful, according to the words of the Prophet ﷺ:

«أَمَا يَخْشَى الَّذِي يَرْفَعُ رَأْسَهُ قَبْلَ الْإِمَامِ أَنْ يُحَوِّلَ اللهُ رَأْسَهُ رَأْسَ حِمَارٍ، أَوْ يَجْعَلَ صُورَتَهُ صُورَةَ حِمَارٍ»

"Does not the one who raises his head before the Imam fear that Allâh will change his head into the head of a donkey, or that He will change his form into that of a donkey."[1]

It has been confirmed from him ﷺ that he said:

«إِنَّمَا جُعِلَ الْإِمَامُ لِيُؤْتَمَّ بِهِ، فَإِذَا كَبَّرَ فَكَبِّرُوا، وَلَا تُكَبِّرُوا حَتَّى يُكَبِّرَ، وَإِذَا رَكَعَ فَارْكَعُوا، وَلَا تَرْكَعُوا حَتَّى يَرْكَعَ»

"The Imam was placed only that he may be followed, so if he says

[1] Reported by Al-Bukhari in the Book of the *Athan*, in the Chapter: The Sin of One Who Raises His Head Before the *Imam*, *Hadith* (691); and by Muslim in the Book of Prayer, in the Chapter: The Prohibition of Anticipating the *Imam*, *Hadith* 114 (427).

'Allâhu Akbar,' then you say 'Allâh Akbar,' and do not make the Takbir until he makes the Takbir; and if he bows, then you bow, and do not bow until he bows.''[1]

I would like to take this opportunity to say that the person led in prayer by his *Imam* falls into four categories:

1. Anticipation.
2. Conformity.
3. Following.
4. Delay.

Anticipation: That he begins to do something before his *Imam* and this is unlawful. If this occurs with the opening *Takbir,* the prayer will not be valid under any circumstances and he must repeat the prayer from the beginning.

Conformity: That he conforms with the *Imam*, bowing when he bows, prostrating when he prostrates and straightening up when he straightens up. it is apparent from the evidences that this is unlawful as well, according to the words of the Prophet ﷺ:

«لَا تَرْكَعُوا حَتَّى يَرْكَعَ»

"Do not bow until he bows."

Some of the scholars consider it disliked and not unlawful, except in the opening *Takbir,* because if he performs it simultaneously with his *Imam*, his prayer will not be counted and he must repeat it.

Following: That he performs the actions of the prayer after his *Imam* without delay, and this is what is prescribed.

Delay: That he lags behind his *Imam* so much that he is not considered to be following him, and this contradicts what is prescribed.

[1] Reported by Al-Bukhari in the Book of Shortening the Prayers, in the Chapter: The Prayer of the Sitting Person (1114).

Q. 306. Is prayer behind a sinner valid?

A. Prayer behind a Muslim even if he commits some sins is permissible and valid, according to the most authoritative opinion, but prayer behind one who is righteous is preferable without doubt.

However, if the person does things which remove him from the pale of Islam, then it is not permissible to pray behind him. This is because his prayer is not valid, for the prayer of anyone who is not a Muslim is invalid, and if the prayer of the *Imam* is invalid, then it is not possible to follow him, because you are following one who is not an *Imam*, and you are making the intention of Imamate without an *Imam*.

Q. 307. Is it permissible for one who is offering an obligatory prayer to do so behind one who is offering a voluntary prayer and for the one who is offering a voluntary to do so behind one who is offering an obligatory prayer?

A. It is permissible to do that, just as it is permissible to offer the *Zuhr* prayer behind an *Imam* who is offering the *'Asr* prayer, and to offer the *'Asr* prayer behind an *Imam* who is offering the *Zuhr* prayer. This is because every person shall have what he intended, which is why Imam Ahmad said: If you entered while the *Imam* is performing the *Tarawih* prayer and you have not offered the *'Isha'* prayer, then pray behind him, for it will be an obligatory prayer for you and a voluntary prayer for him.

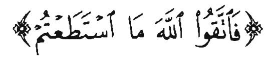
Q. 308. A discussion occurred between a group of worshippers, regarding the case of a man who entered the *Masjid* late and found that the prayer had already begun. The row was full and there was no place for him in the row, is it permissible for him to pull a man from that complete row, in order to be able to offer his prayer?

Or should he pray behind the row by himself? Or what should he do?

A. This question has three possible modes of action: If a person comes and finds that the row has been completed:

Either he prays alone behind the row, or he pulls a person from the row and prays with him, or he goes forward and prays on the right side of the *Imam*. These three possible modes of action are if he joins the prayer, or he might leave the prayer with this congregation. So, which of these four things should be chosen?

We say: What should be chosen from these four things is that he forms a row by himself behind the row and prays with the *Imam*. This is because what is obligatory is prayer with the congregation and in the row. These are both obligations, and if he was unable to do one of them, and that is standing in the row, the other remains an obligation – and that is prayer in congregation. In that case, we say: Pray with the congregation behind the row in order to attain the virtue of the prayer in congregation, and standing in the row is not an obligation upon you in this case, because you are unable to do it, and Allâh, the Most Glorified, the Most High says:



"So keep your duty to Allah and fear Him as much as you can."[1]

What supports this, is the fact that a woman stands alone behind the row if there are no women with her, and this is because there is no lawful place for her in the men's row. So, because it is impossible for her to pray lawfully in the men's row, she prays alone.

Regarding this man who came to the *Masjid* and found that the row had been completed and that there was no possible way for

[1] *At-Taghabun* 64:16

him to pray in the row, the obligation to do so in these circumstances is removed from him, and he is obliged to pray in congregation; so he must pray behind the row.

As for pulling someone from the row to pray with him, this should not be done, because it entails three sins:

1. Opening up a gap in the row, and this contradicts what was ordered by the Prophet ﷺ, which is to stand close together, and close the gaps in the rows.

2. Moving this person from a superior place in the row to an inferior place, and this is a form of offence against him.

3. Disturbing him in his prayers, because if this worshipper is pulled out, it must cause some disturbance in his heart, and this is also an offence against him.

The third mode of action is that he stand with the *Imam*, and this is not right for him, because the *Imam* must stand out from those who are being led in prayer by his position, just as he stands out from them by his leading them in speech and action. He makes the *Takbir* before them, he bows before them, and he prostrates before them, and so it is necessary that he should stand out from them by his position. This is the guidance of the Prophet ﷺ, that the *Imam* should stand in front those being led in prayer, and this is clearly appropriate to distinguish him from them that he stands alone in his place; so if some of the worshippers stood with him, this special characteristic which should be the *Imam's* alone in prayer will be removed from him.

As for the fourth possible mode of action, which is that he leaves the congregation, this is not an option for him either, because praying in congregation is an obligation and standing in the row is an obligation. If he was unable to do either one of them, the obligation to do the other is not removed from him, since he is unable to do the first.

Q. 309. There is a *Masjid* which has two floors and those who pray on the upper floor cannot see what is below them; is their prayer valid or not? Advise us, may Allâh bless you.

A. As long as the *Masjid* is one, then it is not a condition that they see each other, if they can hear the *Takbir* of the *Imam*. Written by Muhammad Salih Al-'Uthaimain on 25/8/1410 A.H.

Q. 310. Is it permissible for a Muslim to pray with the prayer which is transmitted via the television or the radio, without being able to see the *Imam*, especially for women?

A. It is not permissible for a person to follow an *Imam* by means of the radio or by means of the television. This is because praying in congregation means congregating together, so it is necessary to be in one place, or for the rows to be connected to each other, so it is not permissible to pray by means of such things. This is because the aim of congregational prayer has not been achieved by this, and if we were to permit this, it would be possible for every person to offer the five prayers in his house, indeed the Friday prayer also, and that would negate the legislation of the Friday prayer and the congregational prayers. So, based upon this, it is not permissible for women or others that they pray behind a radio or behind a television. And Allâh is the Granter of success.

Chapter

His Eminence, the Shaikh, may Allâh reward him for his services to Islam and the Muslims with the best reward, said:

In the Name of Allâh, the Most Gracious, the Most Merciful.

How Should the Invalid Pray?

1. It is incumbent upon the invalid to offer the obligatory prayers standing, even if he is leaning or supporting himself against the wall or on a stick if he requires such to support himself.

2. If he is unable to stand, he may pray sitting and it is better for him to sit cross-legged in the place of standing and bowing.

3. If he is unable to pray sitting, he should pray on his side, facing towards the *Qiblah* and the right side is better. But if he is unable to face the *Qiblah*, he may pray in whatever direction he is facing, and his prayer will be valid, and he is not required to repeat it.

4. If he is unable to pray lying on his side, then he may pray lying down, with his feet facing towards the *Qiblah*. It is better to lift his head slightly in order to face towards the *Qiblah*, but if it is not possible for his feet to face the *Qiblah*, he may pray wherever they may be facing, and it is not necessary for him to repeat it.

5. It is incumbent upon the invalid to bow and prostrate in his prayer, but if he is unable to do so, he may incline his head towards them, making the *Sujud* lower than the *Ruku'*. And if he is able to bow, but not to prostrate, he may bow at the place of *Ruku'* and indicate the *Sujud*. And if he is able to prostrate, but not to bow, he may prostrate at the place of *Sujud* and indicate the *Ruku'*.

6. If he is unable to incline his head in the *Ruku'* and the *Sujud*, he may indicate with his eyes, closing them slightly for the *Ruku'* and closing them more for the *Sujud*. As for indicating with the finger as some invalids do, it is not correct, and I know

of no basis for it in the Book (of Allâh) or the *Sunnah* or the sayings of the scholars.

7. If he is unable to incline his head, or to indicate with his eyes, then he may pray in his heart, making the *Takbir* and reciting, and making the intention of bowing, prostrating, standing and sitting in his heart (in accordance with the *Hadith*:)

«وَلِكُلِّ امْرِىءٍ مَانَوَى»

"and every person shall have what he intended."

8. It is incumbent upon the invalid to offer every prayer at its stated time and do all of the obligations that are incumbent upon him to the best of his ability. But if it is difficult for him to perform each of the prayers at its stated time, he may combine the *Zuhr* and the *'Asr* prayers and the *Maghrib* and *'Isha'* prayers either by advancing the second prayer, such as by advancing the *'Asr* prayer to the time of the *Zuhr* prayer and advancing the *'Isha'* prayer to the time of the *'Maghrib'* prayer, or by delaying the first, such as by delaying the *Zuhr* prayer to the time of the *'Asr* prayer and delaying the *Maghrib* prayer until the time of the *'Isha'* prayer whichever is easier for him. As for the *Fajr* prayer, it may not be combined with the prayer before it, nor with the prayer after it.

9. If the invalid is a traveller who is being treated abroad, then he may shorten the four *Rak'ah* prayers, offering the *Zuhr, 'Asr* and *'Isha'* prayers as two *Rak'ahs* each, until he returns to his country – whether the time period is long or short.

And Allâh is the Granter of success.

Q. 311. When is prayer in an airplane obligatory? And what is the manner of performing the obligatory prayer in an airplane? And what is the manner of performing the voluntary prayer in an airplane?

A. Prayer in an airplane is obligatory if the time for it begins. But if a person is unable to perform the prayer in an airplane as

he would perform it on the ground, then he should not offer the obligatory prayer in the airplane if it was possible that the airplane will land before the expiry of the time for the prayer or the expiry of the time for the prayer which comes after it in the case of prayers which may be joined.

So, for example, if the airplane took off from Jeddah just before sunset, and then the sun set while he was in the air, he should not offer the *Maghrib* prayer until the airplane lands in the airport, and he disembarks from it. If he fears that the time for it will expire, then he should make the intention to combine it with the *'Isha'* prayer, delaying it until the time of *'Isha'* and then pray them both when he lands. But if the flight continues so that he is afraid that the time for the *'Isha'* prayer will expire and that is at midnight, then he should pray them before the time ends in the airplane.

The manner of performing the obligatory prayer in an airplane is to stand facing the *Qiblah* and make the *Takbir,* then recite *Surat Al-Fatihah,* and whatever it is prescribed to recite before it, such as the opening supplication and after it from the Qur'ân. Then he should bow, then straighten up from the *Ruku',* then prostrate. If he is unable to prostrate, he should sit and indicate the *Sujud* (by inclining his head) in a sitting position and he should do likewise until the end of the prayer and through all of this, he should remain facing the *Qiblah*.

As for the manner of performing the voluntary prayer in an airplane, he should pray it sitting in his seat and incline his head for *Ruku'* and *Sujud,* making the *Sujud* lower than the *Ruku'*. And Allâh is the Granter of success. Written on 22/4/1409 A.H.

Q. 312. What is the distance which must be travelled in order that one may shorten his prayer? And is it permissible to combine the prayers without shortening them?

A. The distance in which it is permissible to shorten one's prayers has been defined by some of the scholars as eighty-three kilometers and some of them have said that it is according to common acceptance of what constitutes a journey, even if it does not amount to eighty kilometers and that which the people say is not a journey, it is not a journey, even if it amounts to a hundred kilometers.

This latter opinion is the preferred view of Shaikhul-Islam Ibn Taimiyyah, may Allâh have mercy on him, and this is because Allâh, the Most High has not defined a specific distance for the license to shorten the prayers, and likewise, the Prophet ﷺ did not define any specific distance.

Anas bin Malik, may Allâh be pleased with him, said:

> *"When the Prophet ﷺ travelled three miles or Farsakhs*[1] *he would shorten his prayers and offer two Rak'ahs.*[2]

The opinion of Shaikhul-Islam Ibn Taimiyyah, may Allâh have mercy on him, is the most correct.

There is no sin, in cases where there exists a difference of opinion regarding what constitutes a journey, for a person to act upon the opinion that there is a minimum distance. Because this has been said by some of the scholars of *Ijtihad* and there is no sin upon them for that, Allâh Willing. But as long as the matter is determined, the correct thing is to refer to what is commonly accepted.

As for the question of whether it is permissible to combine the prayers if it is permissible to shorten them, we say: Combining the prayers is not linked to shortening them; combining the

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[1] *Farsakh*: A measure of distance equivalent to approximately three miles.

[2] Reported by Muslim in the Book of the Travellers' Prayers, in the Chapter: The Travellers' Prayers (691).

prayers is linked to need, so when a person needs to combine his prayers, whether he is travelling or at home, he should combine them, which is why, when rainfall occurs which makes it difficult for the people to go to the *Masjids*, they combine the prayers.

The people combine the prayers if there is a cold, strong wind during the days of winter, which would make it difficult for them to go out to the *Masjids*. A person may combine the prayers if he fears loss of his property or harm to it, or some such thing. It is reported in *Sahih Muslim* on the authority of 'Abdullah bin 'Abbas, may Allâh be pleased with them, that he said: "The Prophet ﷺ combined the *Zuhr* and the *'Asr* prayers, and the *Maghrib* and the *'Isha'* prayers without being in a state of fear or rainfall."[1] They said: "And what did he intend (thereby)?" He said: "He intended that his people should not be put in difficulties." That is, that they not be placed in difficulties by not combining the prayers.

This is the criterion, whenever difficulty is caused to a person by not combining the prayers, it is permissible for him to combine them. And if there is no difficulty for him, then he may not combine them. But difficulty is expected if one does not combine the prayers when travelling, so based upon this, it is permissible for the traveller to combine his prayers whether he is actually travelling or he has stopped en route; however, if he is actually travelling, then it is better to combine the prayers, and if he is staying somewhere en route, then it is better not to combine them.

An exception to this, is the case of a person who is staying in a town where the congregational prayers are held, for it is an obligation upon him to attend the congregational prayers, and in that case, he may not combine them, nor may he shorten them. But if he missed a congregational prayer, then he may

[1] Reported by Muslim in the Book of the Travellers' Prayers, in the Chapter: Combining Two Prayers When One is Resident (705).

shorten it without combining it, unless he needs to combine it.

Q. 313. A man travels to Riyadh to study and he goes there on Friday evening and returns on Monday afternoon. Does he take on the ruling of a traveller in prayers and other matters?

A. There is no doubt that he is a traveller, because he has not taken the town in which he studies as a home, and he did not intend to stay there indefinitely; rather his stay there is for a purpose. But if he is staying in a town in which the congregational prayers are held, it is an obligation upon him to attend the prayer in congregation. As for what has become widely accepted among some of the common people, that the traveller is not required to pray in congregation or to attend the Friday prayer, there is no basis for it, for the congregational prayers are an obligation upon the traveller, even if he is in battle, as explained in the Words of Allâh, the Most High:

﴿وَإِذَا كُنتَ فِيهِمْ فَأَقَمْتَ لَهُمُ ٱلصَّلَوٰةَ فَلْتَقُمْ طَآئِفَةٌ مِّنْهُم مَّعَكَ﴾

"When you (O Messenger Muhammad ﷺ) are among them, and lead them in As-Salat (the prayer), let one party of them stand up (in salat) with you."[1]

And the Friday prayer is an obligation upon everyone who hears the call to prayer, according to the Words of Allâh, the Most High:

﴿يَٰٓأَيُّهَا ٱلَّذِينَ ءَامَنُوٓاْ إِذَا نُودِىَ لِلصَّلَوٰةِ مِن يَوْمِ ٱلْجُمُعَةِ فَٱسْعَوْاْ إِلَىٰ ذِكْرِ ٱللَّهِ﴾

"O you who believe (Muslims)! When the call is proclaimed for the Salat (prayer) on Friday (Jumu'ah prayer), come to the remembrance of Allah [Jumu'ah religious talk (Khutbah) and Salat (prayer)]."[2]

[1] *An-Nisa'* 4:102

[2] *Al-Jumu'ah* 62:9

But if you missed the prayer there, or you were in a place far from the *Masjids*, you may offer the four *Rak'ah* prayers as two *Rak'ahs*.

Q. 314. What is the ruling on combining the *'Asr* prayer with the Friday prayer? And is it permissible for one who is outside his hometown to combine the prayers?

A. The *'Asr* prayer and the Friday prayer may not be combined, due to the fact that this has not been reported in the *Sunnah*, nor is it correct to make an analogy between the Friday prayer and the *Zuhr* prayer, as there are many differences between the Friday prayer and the *Zuhr* prayer. And the basic principle is that it is obligatory to offer every prayer at its stated time, unless there is some evidence which makes it permissible to combine one prayer with another.

It is permissible for those who are outside their hometown to combine the prayers, if they stay for two or three days, because they are travellers. But if they are in the vicinity of a nearby town, so that they are not considered travellers, then it is not permissible for them to combine their prayers. This is with regard to combining the *Zuhr* and *'Asr* prayers and the *Maghrib* and *'Isha'* prayers, not the Friday prayer and the *'Asr* prayer, which is not permissible under any circumstances.

A Letter

To: His Eminence, Shaikh Muhammad bin Salih Al-'Uthaimaeen may Allâh preserve him and protect him.

May the Peace, Mercy and Blessings of Allâh be upon you.

We have observed many people combining their prayers in recent days and they have become careless regarding it; do you consider this cold weather to be a valid excuse for combining the prayers, may Allâh reward you?

The Reply

In the Name of Allâh, the Most Gracious, the Most Merciful.

A. And may the Peace, Mercy and Blessings of Allâh be upon you.

It is not permissible for people to be careless regarding the matter of combining prayers, because Allâh, the Most High says:

﴿إِنَّ ٱلصَّلَوٰةَ كَانَتْ عَلَى ٱلْمُؤْمِنِينَ كِتَـٰبًا مَّوْقُوتًا﴾

"Verily, As-Salat (the prayer) is enjoined on the believers at fixed hours."[1]

And He, the Most High says:

﴿أَقِمِ ٱلصَّلَوٰةَ لِدُلُوكِ ٱلشَّمْسِ إِلَىٰ غَسَقِ ٱلَّيْلِ وَقُرْءَانَ ٱلْفَجْرِ ۖ إِنَّ قُرْءَانَ ٱلْفَجْرِ كَانَ مَشْهُودًا﴾

"Perform As-Salat (Iqamat-as-Salat) from mid day till the darkness of the night (i.e. the Zuhr, 'Asr, Maghrib, and 'Isha' prayers), and recite the Qur'an in the early dawn (i.e. the morning — Fajr prayer). Verily, the recitation of the Qur'an in the early dawn (i.e., the morning — Fajr prayer) is ever witnessed (attended

[1] *An-Nisa'* 4:103

by the angels in charge of mankind of the day and the night)."[1]

So, if the prayer is obligatory, and is to be offered at fixed times. Then it is necessary that the obligatory prayers be offered at their stated times, which is summed up in the Words of Allâh, the Most High:

﴿أَقِمِ ٱلصَّلَوٰةَ لِدُلُوكِ ٱلشَّمۡسِ﴾

"Perform As-Salah from midday."

up to the end of the Verse. And the Prophet ﷺ has explained this in detail, saying:

«وَقْتُ الظُّهْرِ إِذَا زَالَتِ الشَّمْسُ، وَكَانَ ظِلُّ الرَّجُلِ كَطُولِهِ مَا لَمْ يَحْضُرْ وَقْتُ الْعَصْرِ، وَوَقْتُ الْعَصْرِ مَا لَم تَصْفَرَّ الشَّمْسُ، وَوَقْتُ الْمَغْرِبِ مَا لَم يَغِبِ الشَّفَقُ، وَوَقْتُ الْعِشَاءِ إِلَى نِصْفِ اللَّيْلِ»

"The time for the Zuhr prayer is when the sun passes the zenith and a man's shadow is the same (length) as his height, (and it lasts) as long as the time for the 'Asr prayer has not come. The time for the 'Asr prayer is as long as the sun has not become pale; the time of the Maghrib prayer is as long as the twilight has not ended, and the time of the 'Isha' prayer is up to the middle of the night."[2]

Since the Prophet ﷺ has defined the times of the prayers in precise detail, then performing the prayers at times other than their stated times is a transgression of the limits imposed by Allâh:

﴿وَمَن يَتَعَدَّ حُدُودَ ٱللَّهِ فَأُوْلَٰٓئِكَ هُمُ ٱلظَّٰلِمُونَ﴾

"And whoever transgresses the limits ordained by Allah, then such are the Zalimun (wrongdoers)."[3]

So, one who knowingly, and intentionally offered a prayer

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[1] *Al-Isra'* 17:78

[2] Reported by Muslim in the Book of *Masjids*, in the Chapter: The Times of the Five Prayers, *Hadith* 174 (612).

[3] *Al-Baqarah* 2:229

before its stated time, then he is a sinner and he must repeat it. But if he did not do it knowingly and intentionally, then he is not a sinner, but he must repeat it. This occurs when a prayer is brought forward and combined with the earlier prayer (e.g. *'Asr* with *Zuhr*) without a valid legal cause. In that case, the prayer brought forward is not valid and he must repeat it.

Whoever knowingly and deliberately delayed a prayer from its stated time, he is a sinner and his prayer is not accepted, according to the most authoritative opinion. This occurs when a prayer is delayed without a valid legal cause, because a prayer which is delayed is not accepted according to the most authoritative opinion.

Therefore, it is an obligation upon the Muslim to fear Allâh, the Most High and not to be careless in this important and weighty matter.

As for the *Hadith* which is confirmed in *Sahih Muslim*, on the authority of Ibn 'Abbas, may Allâh be pleased with them, in which it is stated: "The Prophet ﷺ combined the *Zuhr* and the *'Asr* prayers and the *Maghrib* and the *'Isha'* prayers without being in a state of fear or rainfall."

There is no evidence in this for being careless in this matter. Ibn 'Abbas, may Allâh be pleased with them, was asked: "What did he (i.e. the Prophet ﷺ) intend by this?" He said: "He intended that his people should not be put in difficulties."[1]

This is evidence that the reason for permitting combining of prayers is difficulty in performing every prayer at its stated time. So, if a Muslim encountered difficulty in performing every prayer at its stated time, it is permissible for him to combine them, or it is legislated for him to do so. But if he does not find any difficulty, then it is an obligation on him to offer each of the prayers at its stated time.

Based upon this, mere cold does not permit the combining of

[1] The reference for this *Hadith* was mentioned previously under no. 312.

prayers, unless it is accompanied by a wind which would harm the people if they went out to the *Masjids*, or it is accompanied by snowfall which would harm people.

So, my advice to my Muslim brothers, especially the *Imams*, is to fear Allâh in this matter, and seek help from Allâh, the Most High in performing these obligatory prayers in the manner which pleases Him. Written by Muhammad As-Sahih Al-'Uthaimeen on 8/7/1413 A.H.

Q. 315. What are the licenses granted to the traveller?

A. The licenses granted to the traveler are four:

1. That the four *Rak'ah* prayers may be reduced to two *Rak'ahs*.

2. That he may break his fast during Ramadan and make it up for at a later date.

3. That he may wipe over his socks for three days and three nights starting from the first time he wipes over them (when performing ablution for prayer).

4. That he is not required to offer the regular *Sunnah* prayers of *Zuhr, Maghrib* and *'Isha'*. As for the regular *Sunnah* of *Fajr* and the other voluntary prayers, they remain allowed and preferred.

So, a traveller should offer the night prayer, the *Sunnah* of *Fajr*, the two *Rak'ahs* of *Ad-Duha*, the *Sunnah* of ablution, the two *Rak'ahs* upon entering the *Masjid*, the two *Rak'ahs* performed when arriving from a journey – for it is a part of the *Sunnah* for a person when he arrives from a journey, to begin by praying two *Rak'ahs* in the *Masjid* before entering his house.[1]

[1] This was reported in the long *Hadith* of Ka'b bin Malik, may Allah be pleased with him, in the story of his repentance, and the wording of it is: "When he returned from a journey, he would go first to the *Masjid* and perform two *Rak'ahs* therein." Reported by Al-Bukhari in the Book of Battles, in the Chapter: The *Hadith* of Ka'b bin Malik (4418); and by Muslim in the Book of Repentance, in the Chapter: The *Hadith* of the Repentance of Ka'b bin Malik, *Hadith* 53 (2769).

Likewise the remainder of the voluntary prayers remain allowed for the traveller (rather than recommended), except those which I have mentioned previously the regular *Sunnah* of *Zuhr*, the regular *Sunnah* of *Maghrib* and the regular *Sunnah* of *'Isha'*, because the Prophet ﷺ did not perform these three regular *Sunnah* prayers (while travelling).

Q. 316. When does the first hour of the Friday prayer begin?

A. The hours which the Messenger ﷺ has mentioned are five in number; he said:

«مَنِ اغْتَسَلَ يَوْمَ الْجُمُعَةِ غُسْلَ الْجَنَابَةِ، ثُمَّ رَاحَ فِي السَّاعَةِ الْأُولَى فَكَأَنَّمَا قَرَّبَ بَدَنَةً، وَمَنْ رَاحَ فِي السَّاعَةِ الثَّانِيَةِ فَكَأَنَّمَا قَرَّبَ بَقَرَةً، وَمَنْ رَاحَ فِي السَّاعَةِ الثَّالِثَةِ فَكَأَنَّمَا قَرَّبَ كَبْشًا، وَمَنْ رَاحَ فِي السَّاعَةِ الرَّابِعَةِ فَكَأَنَّمَا قَرَّبَ دَجَاجَةً، وَمَنْ رَاحَ فِي السَّاعَةِ الْخَامِسَةِ فَكَأَنَّمَا قَرَّبَ بَيْضَةً»

"Whoever bathed on Friday, performing the Ghusl of major ritual impurity (Janabah), then went (to the Masjid) in the first hour, he is like one who offers a camel as a sacrifice, and he who comes at the second hour is like one who offers a cow, and he who comes at the third hour is like one who offers a ram with horns, and he who comes at the fourth hour is like one who offers a hen, and he who comes at the fifth hour is like one who offers an egg."[1]

So, he has divided the time from sunrise until the arrival of the *Imam* into five parts. Each part might be equivalent to the well known hour (i.e. 60 minutes), or the hour might be more or less, because the time changes, so the hours are five between

[1] Reported by Al-Bukhari in the Book of the Friday Prayer, in the Chapter: The Virtue of the Friday Prayer (881); and by Muslim in the Book of the Friday Prayer, in the Chapter: Perfume and *Siwak* on Friday (850).

the sunrise and the arrival of the *Imam* for the prayer. It begins from sunrise, although it has been said that it is from the start of *Fajr*, but the former is more likely, because before sunrise is the time for the *Fajr* prayer.

Q. 317. Is it permissible for a Muslim to offer the Friday prayer in his house, if he is able to hear the voice of the *Imam*?

A. It is not permissible for him to perform the Friday prayer except with the Muslims in the *Masjid*. If the *Masjid* is full and the rows reach into the streets, then there is no sin in praying in the streets due to necessity.

As for a person praying in his house or in his shop, that is not permissible, nor is it lawful for him to do so, because the purpose of the Friday prayer, and the congregational prayers, is for the Muslims to gather together, and for them to be a single community, and for harmony and love to exist between them, and so that the ignorant ones among them may learn from the knowledgeable ones.

If we were to open up the door for every person and we said to them: Pray with the radio, or pray with the loudspeaker while you are in your house, there would be no benefit in building *Masjids* and the attendance of the worshippers.

And also (it is forbidden) because it would really lead to the abandonment of the Friday prayer and prayer in congregation if this door were opened.

Q. 318. How many *Rak'ahs* should a woman offer in the Friday prayer?

A. If a woman offers the Friday prayer with the *Imam*, then she should pray as the *Imam* prays, but if she offers it in her house, she should offer the *Zuhr* prayer of four *Rak'ahs*.

Q. 319. If a person has performed the Friday prayer, should he perform the *Zuhr* prayer?

A. If a person has performed the Friday prayer, then this Friday prayer is the obligatory prayer for the time, i.e. *Zuhr* time. Accordingly, he should not offer the *Zuhr* prayer, and performing the *Zuhr* prayer after the Friday prayer is an innovation. This is because it has not been mentioned in the Book of Allâh, nor in the *Sunnah* of His Messenger ﷺ so it must be prohibited, even if the Friday prayers are performed in a number of *Masjids*. Because it is not legislated for a person to pray *Zuhr* after the Friday prayer; indeed, it is a detestable innovation, because Allâh, the Most High did not order people to offer more than one prayer at the same time, and that is the Friday prayer, and he has already performed it.

As for the reasoning of those who argued this by saying that offering the Friday prayer in a number of *Masjids* is not permissible, and that if it is offered in a number of *Masjids*, then the Friday prayer is for the *Masjid* which begins first, and that here the first *Masjid* is unknown, and that this leads to the invalidity of all of the Friday prayers, and the the *Zuhr* prayer should be perfromed after it, we say to these people: How can you state this as an evidence, or as a justification? Is it based upon a foundation from the *Sunnah* or any correct opinion? The answer is: No.

Indeed, we say that if the Friday prayer was performed in many locations for some need, then each Friday prayer is valid, according to the Words of Allâh, the Most High:

﴿فَٱتَّقُوا۟ ٱللَّهَ مَا ٱسْتَطَعْتُمْ﴾

"So keep your duty to Allah and fear Him as much as you can."[1]

[1] *At-Taghabun* 64:16

If the corners of this town are far from each other, or the *Masjids* are insufficient and the Friday prayers are repeated according to need, then these people have feared Allâh as much as they are able, and whoever fears Allâh as much as he is able, then he has done what is incumbent upon him. So, how can it be said that his action is invalid and that he must perform another prayer in its place, which is the *Zuhr* prayer instead of the Friday prayer?

But if the Friday prayers are performed in a number of different places without need, then there is no doubt that this contradicts the *Sunnah*, and the practice of the Prophet ﷺ and his righteous caliphs, and it is unlawful, according to the majority of scholars. In spite of this, we do not say that the act of worship is not valid, because the responsibility here is not upon the general populace, but upon those in authority, who have permitted numerous Friday prayers to be performed without need.

So, on this basis, we say: It is incumbent upon the authorities who are responsible for the affairs of the *Masjids* not to allow numerous Friday prayers unless there is a need for it. This is because the Lawgiver (Allâh) holds in high regard the gathering of the people for the purpose of performing acts of worship, that it may result in harmony, affection, the teaching of the ignorant and numerous other great benefits.

The legislated gatherings are either weekly, or yearly or daily, as is well known. The daily gatherings take place in the communities, in the *Masjids* of every locality, because if the Lawgiver had enjoined upon the people that they gather five times a day in one place, this would be a burden on them; for this reason, He has lightened the burden on them, and their gatherings have been made in their *Masjids*, each community in its own *Masjid*.

As for the weekly gathering, it is on Friday, for the people gather every week, which is why the *Sunnah* necessitates that they be in one *Masjid*, not in a number of *Masjids*, because this weekly

gathering does not harm them if they undertake it, nor is it burdensome for them.

There is also a great benefit in it, for the people gather around one *Imam* and one *Khatib*[1] who guides them with a single guidance, so that they leave having received one admonition and having offered one prayer.

As for the annual gathering, it is such as the *'Eid* prayers; this is an annual gathering, and it is also for the whole town, which is why it is not permissible for the *'Eid* prayer to be performed in a number of *Masjids*, unless there is a need for it, as in the case of the *Masjids* of the Friday prayers.

Q. 320. The time for the Friday prayer came upon us while we were working at sea, and half an hour after the time for the *Zuhr* prayer, we left it (i.e. the boat). Is it correct for us to call the *Athan* and perform the Friday prayer?

A. The Friday prayer is not valid except in the *Masjids* in the towns or in the villages, and it is not valid for a group who are working in the countryside or at sea.

It was not from the guidance of the Messenger ﷺ that the Friday prayer be performed except in the towns and the villages, for he, peace be upon him, would travel for many days and he would not perform the Friday prayer. You are now at sea, not settled, but moving from place to place, so what is incumbent upon you is only to perform the *Zuhr* prayer and not the Friday prayer; and you may shorten the four *Rak'ah* prayers if you are travelling.

Q. 321. What should the one who is led in prayer do on Friday if he comes to the prayer and the *Imam* is in the final *Tashahhud*, should he make up four *Rak'ahs*, or offer two?

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[1] *Khatib*: The one who delivers the *Khutbah* (sermon).

A. If a person comes to the *Masjid* and finds the *Imam* in the final *Tashahhud* on Friday, then he has missed the Friday prayer. He should join with the *Imam* and offer the *Zuhr* prayer, according to the words of the Prophet ﷺ:

«مَنْ أَدْرَكَ رَكْعَةً مِنَ الصَّلَاةِ فَقَدْ أَدْرَكَ الصَّلَاةَ»

"Whoever caught a Rak'ah of the prayer has caught the prayer."[1]

So, what is understood from this is that whoever caught less than this, he has not caught the prayer. It has been narrated from the Prophet ﷺ that he said:

«مَنْ أَدْرَكَ رَكْعَةً مِنَ الْجُمُعَةِ فَقَدْ أَدْرَكَ»

"Whoever caught a Rak'ah of the Friday prayer has caught (it)."[2]

That is, he has caught the Friday prayer if he stands and offers the second *Rak'ah* (after the *Imam* makes the *Taslim*).

Q. 322. Is the saying *Ameen*, when the *Imam* supplicates after the sermon during the Friday prayers, a form of innovation?

A. Saying *Ameen* after the supplication of the *Khatib* in the sermon is not an innovation. If he begins to supplicate for the Muslims, it is recommended to say *Ameen* after his supplication. But it should not be said in unison and in a loud voice; rather each person should say *Ameen* by himself and in a low voice, so that there is no disturbance or raised voices. Every person should say *Ameen* after the supplication of the *Khatib* quietly and separately from the other worshippers.

[1] The reference for this *Hadith* was mentioned under no. 209.

[2] Reported by An-Nasa'i in the Book of the Friday Prayer, in the Chapter: Whoever Caught a *Rak'ah* of the Friday Prayer 3:92; and by Ibn Majah in the Book of Establishing the Prayer, in the Chapter: What Has Been Said Regarding One Who Catches a *Rak'ah* of the Friday Prayer 1:356.

Q. 323. What is the ruling on raising the hands when the *Imam* is delivering the sermon during the Friday prayer?

A. Raising the hands when the *Imam* is delivering the sermon on Friday is also not legislated; and the Companions, may Allâh be pleased with them, rebuked Bishr bin Marwan when he raised his hands during the Friday sermon. However, the supplication during the prayer for rain is an exception from this, because it has been confirmed from the Prophet ﷺ that he raised his hands and asked Allâh, the Most High for rain, and that was during the Friday sermon, and the people raised their hands with him. But other than this, it is not proper to raise the hands at the time of supplication during the Friday sermon.

Q. 324. What is the ruling on delivering the sermon in a language other than Arabic?

A. The correct opinion in this matter is that it is not permissible for the one who delivers the Friday sermon to do so in a language which those present do not understand. So, if the people are not Arabs, and they do not know the Arabic language, then he should deliver the sermon in their language, because this is the means of communicating the message to them, and the point of the sermon is to explain the limits set by Allâh, the Most Glorified, the Most High to the worshippers, and to admonish and guide them. However, the Qur'ânic Verses must be recited in the Arabic language and then explained in the language of the people.

Evidence that he should deliver the sermon in the language of the people is in the Words of Allâh, the Most High:

﴿وَمَآ أَرْسَلْنَا مِن رَّسُولٍ إِلَّا بِلِسَانِ قَوْمِهِۦ لِيُبَيِّنَ لَهُمْ﴾

"And We sent not a Messenger except with the language of his people, in order that he might make (the Message) clear for them."[1]

[1] *Ibrahim* 14:4

So Allâh, the Most High has made clear that the means of explanation must only be in a language which those being addressed can understand.

Q. 325. Is performing *Ghusl* and adorning oneself on Friday a duty incumbent upon both men and women? And what is the ruling on bathing a day or two before it?

A. These rulings are applicable only to men, since it is he who attends the Friday prayer, and it is he who is required to adorn himself before leaving the house. As for women, this is not legislated for them. But every person is required to remove dirt if he finds it on his person, for that is a praiseworthy act which no one should fail to do.

As for performing *Ghusl* for the Friday prayer one or two days before, that is of no benefit, because the *Ahadith* which have been reported mention Friday specifically, and that is between the start of *Fajr* until the time for the Friday prayer. This is the time for the bathing that should be done; as for doing it a day or two before, there is no benefit in it and it does not count as the *Ghusl* of the Friday prayers.

Q. 326. If a person enters the *Masjid* on Friday while the *Mu'aththin* is calling the second *Athan*, should he offer the prayer of salutation to the *Masjid* or follow the *Mu'aththin* (i.e. repeat the *Athan* after him)?

A. The scholars have said that when a man enters the *Masjid* on Friday and he hears the second *Athan*, he should offer the prayer of salutation to the *Masjid* and not occupy himself with following the *Mu'aththin* and answering him, in order that he be free to listen to the sermon. This is because listening to the sermon is an obligation, while answering the *Mu'aththin* is a *Sunnah*, and a *Sunnah* does not take precedence over an obligation.

Q. 327. What is the opinion of your Eminence regarding those who step over the rows during the Friday prayer?

A. Those passing between the rows should be made to sit during the Friday sermon without speaking, but by pulling on his garment or pointing. It is preferable for the *Khatib* to take responsibility for this, as the Messenger ﷺ did when he saw a man stepping over the people's necks during the Friday prayer and he said to him:

«اجْلِسْ فَقَدْ آذَيْتَ»

"Sit down, for you have caused harm."[1]

Q. 328. What is the ruling on greeting someone by saying *As-Salamu 'Alaikum* (may the Peace of Allâh be upon you) while the *Imam* is delivering the sermon? And what is the ruling on answering it also?

A. If a person arrives while the *Imam* is delivering the sermon, he should offer two short *Rak'ahs* and sit and he should not greet anyone, because greeting people in these circumstances is unlawful. The Prophet ﷺ said:

«إِذَا قُلْتَ لِصَاحِبِكَ : أَنْصِتْ ، يَوْمَ الْجُمُعَةِ وَالْإِمَامُ يَخْطُبُ فَقَدْ لَغَوْتَ»

"If you said to your neighbor: 'Be silent,' during the Friday prayers while the Imam is delivering the sermon, you have committed Laghw."[2]

And he also said:

[1] Reported by Ibn Majah in the Book of Establishing the Prayer, in the Chapter: What Has Been Said Regarding the Prohibition of Stepping Over the People During the Friday Prayers; and by Imam Ahmad 4:188.

[2] Reported by Al-Bukhari in the Book of the Friday Prayers, in the Chapter: Being Silent on Friday While the *Imam* is Delivering the Sermon (934); and by Muslim in the Book of the Friday Prayers, in the Chapter Regarding Silence During the Sermon on Fridays (851).

«مَنْ مَسَّ الْحَصَى فَقَدْ لَغَا»

"Whoever (so much as) touched the gravel has committed Laghw."

The meaning of one who commits *Laghw* is one who does some vain deed, and that vain thing which he does might cause him to lose the reward of the Friday prayer. This is why it was said in the *Hadith*:

«وَمَنْ لَغَا فَلَا جُمُعَةَ لَهُ»

"And whoever commits Laghw, there is no Friday prayer for him."

If someone greets you, do not reply to him in words; do not say *Wa 'Alaik As-Salam* (And upon you be the Peace of Allâh), even if he said it in words, do not say *Wa 'Alaik As-Salam*. As for shaking hands with him, there is no objection to that, although it is preferable not to shake hands either; and even though some of the scholars have said that he may return the greeting, the correct view is that he may not return the greeting, because the obligation to listen takes precedence over the obligation to reply to the salutation.

Also, the Muslim in this situation does not have the right to give greetings of peace, because this distracts the people from listening to something which is obligatory for them to hear. Therefore, the correct opinion is that he should not reply to the salutation, nor should he initiate it while the *Imam* is delivering the sermon.

Q. 329. What is the ruling on congratulating people on the occasion of *'Eid*? And is there a specific wording for it?

A. Congratulating people on the occasion of *'Eid* is permissible and there is no specific wording for it; whatever is customary for the people is permissible, so long as there is nothing sinful in it.

Q. 330. What is the ruling on the *'Eid* prayer?

A. I consider the *'Eid* prayer to be an obligation upon every individual (*Fardh 'Ain*) and that it is not permissible for men to leave it. Rather it is an obligation upon them to attend it, because the Prophet ﷺ commanded it; in fact, he commanded the young, veiled women to go out to the *'Eid* prayer. Indeed, he commanded the menstruating women to go out to the *'Eid* prayer, but to keep away from the prayer place. All of this proves the obligation of it; and this opinion which I have mentioned is the most authoritative opinion, and it was the chosen view of Shaikh Al-Islam, Ibn Taimiyyah, may Allâh have mercy on him.

But it is like the Friday prayer, in that if it is missed, it is not made up for, as there is no evidence that it is necessary to make it up, and no prayer need be offered in place of it, because if the Friday prayer is missed, it is necessary for a person to offer the *Zuhr* prayer in its place, because the time of it is *Zuhr* time, whereas if the *'Eid* prayer is missed, it is not made up for.

My advice to my Muslim brothers is to fear Allâh, the Almighty, the All-Powerful and to perform this prayer which consists of goodness, supplication, meeting the people, and fostering harmony and love between them. If the people were invited to a gathering for the purpose of vain pursuits, you would see those who attend rushing to it. Why is this so, when the Messenger ﷺ has invited them to this prayer by which they attain a reward from Allâh, the Most Glorified, the Most High which is their right according to His Promise?

But it is incumbent upon the women when they go out to this prayer to stay clear of the place of the men, and to be in a corner of the *Masjid* which is far from the men and not to go out beautifully adorned and smelling of perfume or displaying their beauty.

This is why, when the Prophet ﷺ ordered the women to go out to it, they asked him: "Oh, Messenger of Allâh! If one of us does not have a *Jilbab*?" He said:

«لِتُلْبِسْهَا أُخْتُهَا مِنْ جِلْبَابِهَا»

"Her sister should cover her with her Jilbab."[1]

The *Jilbab* is a sheet or something resembling an *'Aba'ah*.[2]

This proves that a woman must go out covered in a *Jilbab*, because the Messenger ﷺ said:

«لِتُلْبِسْهَا أُخْتُهَا مِنْ جِلْبَابِهَا»

"Her sister should cover her with her Jilbab."

It is incumbent upon the *Imam*, I mean the *Imam* of the *'Eid* prayer, when he delivers the sermon to the men, to deliver a special sermon to the women if they cannot hear the men's sermon. But if they can hear the men's sermon, then it is sufficient.

However, it is preferred for him to end the sermon with mention of rulings particular to women, admonishing them and reminding them (of Allâh) as the Prophet ﷺ used to do when he addressed the men during the *'Eid* prayers turning to the women, he would admonish them and remind them (of Allâh).

Q. 331. What is the ruling on a number of *'Eid* prayers being held in the same town? Advise us, and may you be rewarded.

A. If there is a need for it, then there is no objection, as is the case if there is a need to do so for the Friday prayer, because Allâh, the Most High says:

[1] Reported by Al-Bukhari in the Book of Menstruation, in the Chapter: The Attendance of the Menstruating Woman at the *'Eid* Prayers and the Supplication of the Muslims (324); and by Muslim in the Book of the *'Eid* Prayers, in the Chapter: The Permissibility of the Women Going Out to the *'Eid* Prayers (890).

[2] *'Aba'ah*: A cloak worn by women that covers the head and the rest of the body.

﴿وَمَا جَعَلَ عَلَيْكُمْ فِي الدِّينِ مِنْ حَرَجٍ﴾

"and has not laid upon you in religion any hardship."[1]

If we did not allow a number of prayers to be held, it would necessitate preventing some of the people from attending the Friday prayer and the *'Eid* prayer.

An instance of need for the *'Eid* prayer to be held would be that the town is large, and the coming of people from one side to another would be burdensome. But if there is no need for a number of prayers to be held, then they should not be held except in one place.

Q. 332. What is the correct manner of performing the two *'Eid* prayers?

A. The correct manner of performing the two *'Eid* prayers is for the *Imam* to attend and lead the people in a two-*Rak'ah* prayer, making the opening *Takbir* in the first, then making the *Takbir* six times after it. Then he recites *Surat Al-Fatihah* and *Surat Qaf* in the first *Rak'ah*. In the second *Rak'ah*, when he stands up, he will stand up making the *Takbir*, and once he has completed his standing, he will make the *Takbir* five times. Then he recites *Surat Al-Fatihah* and *Surat Al-Qamar*. The Prophet ﷺ used to recite these two *Surahs* in the *'Eid* prayers.[2]

If he wished, he would recite *Surat Al-A'la* in the first, and in the second, he would recite *Surat Al-Ghashiyah*.[3]

You should know that the Friday prayers and the *'Eid* prayers share two *Surahs* and they differ in two *Surahs*: The *Surahs* which they share are *Surat Al-A'la* and *Surat Al-Ghashiyah*, while

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[1] *Al-Hajj* 22:78

[2] Reported by Muslim in the Book of the *'Eid* Prayers, in the Chapter: What is Recited During the *'Eid* Prayers (607).

[3] Reported by Muslim in the Book of the Friday Prayers, in the Chapter: What is Recited During the Friday Prayers (598).

the *Surahs* in which they differ which are in the *'Eid* prayers are *Surah Qaf* and *Surat Al-Qamar*, and in the Friday prayers, *Surat Al-Jumu'ah* and *Surat Al-Munafiqun*.

It is incumbent upon the *Imam* to revive the *Sunnah* by reciting these *Surahs*, so that the Muslims may know them and not be surprised when they hear them. After this, he should deliver the sermon, and it is desirable that he dedicate a part of the sermon to the women and order them to do what they should do and prohibit them from doing what they should avoid, as the Prophet ﷺ used to do.

Q. 333. In some towns, before the prayer on *'Eid* day, the *Imam* makes *Takbir* through the loudspeaker and the worshippers make *Takbir* with him; what is the ruling on this action?

A. This action described by the questioner has not been reported from the Prophet ﷺ or his Companions, may Allâh be pleased with them and the *Sunnah* is for each person to make the *Takbir* individually.

Q. 334. When does the *Takbir* for *'Eid* begin? And how should it be performed?

A. The *Takbir* on *'Eid* day begins from sunset on the last day of Ramadan and continues until the *Imam* arrives for the *'Eid* prayer.

The manner of it is that one says: *Allâhu Akbar, Allâhu Akbar, La Ilaha Illallah, Wallahu Akbar, Allâhu Akbar Wa Lillahil-hamd,* (Allâh is Most Great, Allâh is Most Great, none has the right to be worshipped except Allâh and Allâh is Most Great, Allâh is Most Great, and to Allâh is due all praise); or he should say: *Allâhu Akbar, Allâhu Akbar, Allâhu Akbar, La Ilaha Illallah, Wallahu Akbar, Allâhu Akbar, Allâhu Akbar Wa Lillahil-hamd,* (Allâh is Most Great, Allâh is Most Great, Allâh is Most Great, none has the

right to be worshipped except Allâh, and Allâh is Most Great, Allâh is Most Great, Allâh is Most Great and to Allâh is due all praise).

That is, he may say the *Takbir* three times or twice, both are permissible. But it is desirable that this action be apparent, so the men should do it aloud in the markets, the *Masjids* and the homes. But as for the women, it is better for them to do it quietly.

Q. 335. What is the ruling on the solar eclipse and the lunar eclipse prayers?

A. The solar and lunar eclipse prayers are a highly recommended *Sunnah*, according to the majority of scholars and they are not obligatory; and there is no doubt that the Prophet ﷺ ordered it and he used to seek refuge by praying it, and he performed a great prayer which differs from all other prayers.

Some of the scholars said that it is obligatory, either upon every individual (*Fard 'Ain*) or upon a sufficient number to relieve the others of the obligation (*Fard Kifayah*). As evidence, they cited the order of the Prophet ﷺ to do it, and the fact that the basic principle with regard to commands is obligation, and this is supported by the evidences which prove its importance. Because it (i.e. an eclipse) is a warning from Allâh, the Almighty, the All-Powerful of a punishment the causes of which have taken place, and so it is incumbent upon the worshippers to beseech Allâh, the Almighty, the All-Powerful due to this punishment the cause of which has taken place and for Which Allâh has delivered a warning.

There is no doubt that this opinion is a strong one in its evidence from the *Ahadith* and from reason. The least that may be said of it is that it is *Fard Kifayah*. This is our opinion with regard to it, but as for the majority, they have no evidence that it is not an obligation except the statement of the Prophet ﷺ to

the man who asked him: "Is there anything other than them (i.e. the five daily prayers) incumbent upon me?" He said:

«لَا ، إِلَّا أَنْ تَطَوَّعَ»

"No, unless you wish to do so voluntarily."[1]

But this does not negate the possibility of prayers other than the five daily prayers being obligatory, if some reason for their being so exists, (in that case) the meaning of the negation in the statement of the Prophet ﷺ: "No," would be a negation of the obligation of the regular (*Sunnah*) prayers which are repeated night and day. But as for the prayers which are tied to some cause, this *Hadith* does not negate them from being obligatory.

In short, we consider that the eclipse prayer is obligatory, either upon every individual or upon a number sufficient to lift the obligation from the others.

Q. 336. If someone missed a *Rak'ah* of the eclipse prayer, how should he make it up for?

A. If a person missed a *Rak'ah* of the eclipse prayer, it has been confirmed from the Prophet ﷺ that he said:

«إِذَا سَمِعْتُمُ الْإِقَامَةَ فَامْشُوا إِلَى الصَّلَاةِ وَعَلَيْكُمُ السَّكِينَةَ وَالْوَقَارَ ، وَلَا تُسْرِعُوا ، فَمَا أَدْرَكْتُمْ فَصَلُّوا ، وَمَا فَاتَكُمْ فَأَتِمُّوا»

"When you hear the Iqamah, proceed to the prayer with calmness and solemnity and do not make haste. And pray whatever you are able to pray and complete (whatever you have missed)."[2]

So, this person who has missed a *Rak'ah* of the eclipse prayer must complete it in accordance with the manner in which the

[1] Reported by Al-Bukhari in the Book of Faith, in the Chapter: *Zakah* is a Part of Islam (46); and by Muslim in the Book of Faith, in the Chapter: Explanation of the Prayers, Which are One of the Pillars of Islam (11).

[2] Reported by Al-Bukhari in the Book of the *Athan*, in the Chapter: Do not Hurry to the Prayer (636); and by Muslim in the Book of the

Imam has prayed, based upon the generality of the words of the Prophet ﷺ:

«فَأَتِمُّوا»

"...and complete (whatever you have missed)."

A ramification of this question is another question which causes more confusion to many people, and it concerns one who missed the first *Ruku'* in the *Rak'ah*.

One who missed the first *Ruku'* in the *Rak'ah* has missed the *Rak'ah*, so after the *Imam* has made the *Taslim*, he should make up the whole of the *Rak'ah* in which he missed the first *Ruku'*, according to the generality of the words of the Prophet ﷺ:

«وَمَا فَاتَكُمْ فَأَتِمُّوا»

"...and complete (whatever you have missed)."

Q. 337. Should the reversal of the *Rida'* (upper wrap) during the supplication of the rain prayer be when one stands for the supplication, or should it be in the house before leaving? And what is the wisdom behind reversing it? Advise us, and may Allâh bless you.

A. Reversing the *Rida'* during the rain prayer is done during the sermon as the scholars have said, and the wisdom behind it is the achievement of three benefits:

1. Following the example of the Prophet ﷺ.

2. Optimism in Allâh, the Almighty, the All-Powerful that He will transform the drought into fertility and abundance.

3. That it is an indication from a person that he will change his circumstances, from turning away from Allâh, the Almighty, the All-Powerful and committing acts of disobedience, to turning

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Masjids, in the Chapter: The Recommendation of Coming to the Prayer With Solemnity and Calmness (602).

towards Allâh, the Almighty, the All-Powerful and becoming committed to His obedience. Because fear of Allâh is a spiritual garment and the *Rida'* and its like are physical garments. So it is as if by inverting his physical garment, he is taking upon himself the reversal of the spiritual *Rida'* and this is a good analogy.

Q. 338. Some people say: Even if you did not seek help (from Allâh), the rain will fall. What is your opinion regarding this?

A. I say that I fear a great danger for the person who says this, because Allâh, the Almighty, the All-Powerful says:

﴿وَقَالَ رَبُّكُمُ ادْعُونِي أَسْتَجِبْ لَكُمْ﴾

"And your Lord said: 'Invoke Me [i.e. believe in My Oneness (Islamic Monotheism) and ask Me for anything] I will respond to your (invocation).'"[1]

And Allâh, the Most High is Full of Wisdom, so He might delay His Bounty so that the people understand the intensity of their need for Him, and that there is no refuge from Allâh except with Him, and that He makes the cause of the rainfall the supplication of the people. If the people supplicated to Him and the rain did not come to them, Allâh, the Most High has some Wisdom in that, and He, the Most Glorified, the Most High knows better and is Wiser and more Compassionate towards his creatures than they are towards themselves.

Often a person may ask for something and he does not receive it, then he asks again but he does not receive it, then he asks again but he does not receive it. The Prophet ﷺ said:

«يُسْتَجَابُ لِأَحَدِكُمْ مَا لَمْ يَعْجَلْ، يَقُولُ: دَعَوْتُ فَلَمْ يُسْتَجَبْ لِي»

"Any of you will have his supplication answered so long as he is not impatient and says: I supplicated, but I was not

[1] *Ghafir* 40:60

answered."[1]

At this point, he becomes aggrieved and abandons supplication, may Allâh protect us from that, in spite of the fact that a person does not supplicate to Allâh by a single word, except that he is rewarded for it. This is because supplication is a form of worship, and so a person who supplicates to Allâh in all circumstances benefits.

In fact it has been narrated in a *Hadith* from the Prophet ﷺ that when a person supplicates to Allâh, one of three things will happen to him: Either his supplication will be answered, or some greater evil will be removed from him or it will be reserved for him on the Day of Resurrection.[2]

I advise the brother who said these words to turn to Allâh, the Almighty, the All-Powerful in repentance, for it is a grave sin which contradicts the Command of Allâh, the Most High to supplicate to Him, and it is a transgression of the limits set by Allâh.

Q. 339. What is your opinion regarding a person who specifies in his will that after his death, he be buried in such and such a place, should such a bequest be fulfilled?

A. First of all, he must be asked why he has chosen this place. It might be that he has chosen it in order to be next to a false grave, or to be next to a grave which is taken as an object of worship besides Allâh, or for some other unlawful reason. In that case, it is not permissible to implement his bequest and he

[1] Reported by Al-Bukhari in the Book of Supplications, in the Chapter: The Slave Will be Answered so Long as He is not Impatient (6340); and by Muslim in the Book of Remembrance and Supplication, in the Chapter: Clarification That the Supplication Will be Answered so Long as the Supplicator is not Impatient (2735).

[2] Reported by At-Tirmithi in the Book of Supplications, in the Chapter: Concerning Waiting for Relief and Other Things (3573).

should be buried with the Muslims – if he is a Muslim.

However, if he requested this for some other reason, for example, that he be sent to the country in which he lived, there is no sin in that case, in fulfilling his bequest, so long as it does not invlove a waste of money. If it invloves a waste of money, meaning that he cannot be transported except through heavy expenditure of money, then in that case, his bequest should not be implemented. And Allâh's earth is all the same, so long as it is the land of the Muslims.

Q. 340. What is the time of *At-Talqin*?

A. *At-Talqin* is made just before death: (It means that) the one who is dying should be instructed to say *La Ilaha Illallah* (none has the right to be worshipped except Allâh), as the Prophet , peace be upon him, did when his uncle, Abu Talib was dying. He came to him and said:

«يَا عَمِّ، قُلْ: لَا إِلَهَ إِلَّا اللهُ كَلِمَةً أُحَاجُّ لَكَ بِهَا عِنْدَ اللهِ»

"Oh, my uncle! Say: La Ilaha Illallah, a sentence with which I may argue your case before Allâh."

But his uncle, Abu Talib, may Allâh protect us from that, did not say it, and so he died a polytheist.[1]

As for *At-Talqin* after burial, it is an innovation, since it has not been confirmed in any *Hadith* that the Prophet ﷺ did so.

But it is desirable that we should do what was reported by Abu Dawud, which is that when the Prophet ﷺ had finished burying a deceased person, he stood at the graveside and said:

«اسْتَغْفِرُوا لِأَخِيكُمْ وَاسْأَلُوا لَهُ التَّثْبِيتَ، فَإِنَّهُ الْآنَ يُسْأَلُ»

[1] Reported by Al-Bukhari in the Book of Funeral Prayers, in the Chapter: If the Polytheist Said at the Time of Death: *La Ilaha Illallah* 1360; and by Muslim in the Book of Faith, in the Chapter: Evidence of the Validity of the Islam of a Person for Whom Death is Near 24.

"Seek forgiveness for your brother, and ask stability for him, for he is now being asked."[1]

But as for reciting at the graveside or instructing him to pronounce the *Shahadah* while he is in the grave, it is an innovation without any basis.

Q. 341. What is your opinion regarding one who delays the burial of the deceased so that some of his relatives may arrive from far away places?

A. What is prescribed regarding the deceased is that he be prepared early and quickly, in accordance with the statement of the Prophet ﷺ:

«أَسْرِعُوا بِالْجَنَازَةِ، فَإِنْ تَكُ صَالِحَةً فَخَيْرٌ تُقَدِّمُونَهَا إِلَيْهِ، وَإِنْ تَكُ سِوَى ذَلِكَ فَشَرٌّ تَضَعُونَهُ عَنْ رِقَابِكُمْ»

"Make haste with the funeral, for if it is a righteous soul, you are forwarding it to goodness; and if it was otherwise, then you are removing an evil thing from your necks."[2]

So, it is not desirable that the burial of the deceased be delayed so that some of his family may attend, except for a few hours. Other than that, preparing him early is better. Then if some of the family arrive, they may pray over his grave as the Prophet ﷺ did when he prayed over the grave of a woman who used to sweep the *Masjid* and they did not inform him that she had died. He said:

«دُلُّونِي عَلَى قَبْرِهَا»

"Direct me to her grave."

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[1] Reported by Abu Dawud in the Book of Funeral Prayers, in the Chapter: Seeking Forgiveness at the Graveside for the Deceased at the Time of Parting (3221).

[2] Reported by Al-Bukhari in the Book of Funeral Prayers, in the Chapter: Making Haste in Funerals (1315); and by Muslim in the Book of Funeral Prayers, in the Chapter: Hastening the Funeral (944).

They directed him to it and he prayed over her.[1]

Q. 342. Is informing the relatives and friends of the demise of a person in order that they may gather to pray over him included in the kind of announcement of death which is forbidden, or is it permissible?

A. This kind of announcement is permissible, which is why the Prophet ﷺ announced the death of An-Najashi on the day he died.[2]

He said about the woman who used to sweep the *Masjid*, and who was buried by the Companions, may Allâh be pleased with them, without them informing him of it ﷺ:

«هَلَّا كُنْتُمْ آذَنْتُمُونِي . . .»

"Did you not think to inform me?"

So, there is no objection to informing people of someone's death in order that many people may pray over him, because that is something the like of which has been reported in the *Sunnah*. Similarly, there is no sin in informing his family and his companions who would like to gather in order to pray over him.

Q. 343. What is the correct manner reported from *Al-Mustafa* (the Chosen One, i.e. Muhammad ﷺ) of washing the deceased?

A. The legislated manner of washing the deceased is for the

[1] Reported by Al-Bukhari in the Book of Funeral Prayers, in the Chapter: Praying Over the Grave After the Deceased Has Been Buried (1337); and by Muslim in the Book of Funeral Prayers, in the Chapter: Praying Over the Grave (956).

[2] Reported by Al-Bukhari in the Book of Funeral Prayers, in the Chapter: A Man Expressing Condolences to the Family of the Deceased (1245); and by Muslim in the Book of Funeral Prayers, in the Chapter: Making *Takbir* Over the Deceased (951).

person to wash the private parts of the deceased, then he should start washing him. He begins with the limbs that are washed during ablution, making ablution for him, except that he does not put water in his mouth or his nose. Instead, he should simply wet a cloth and clean his nose and his mouth, then he should wash the rest of his body, and he should do it with *Sidr* (and *Sidr* is well known).

It is crushed and then it is put in water, then it is beaten by hand until it produces a foam and that foam is used to wash the head and the beard. Then the rest of the body is washed with the remainder of the *Sidr*, because it cleans it well. Then in the final wash, he should put camphor, and camphor is a well known perfume; the scholars say that one of its benefits is that it strengthens the body and drives away pests.

If the body is very dirty, then he should wash it more, according to the words of the Prophet ﷺ to the women who washed his daughter:

«اغْسِلْنَهَا ثَلَاثاً، أَوْ خَمْسًا، أَوْ أَكْثَرَ مِنْ ذَلِكَ إِنْ رَأَيْتُنَّ ذَلِكَ»

> *"Wash her three times, or five times, or more than that if you consider it necessary."*[1]

After that, he should dry him and put him in his shroud.

Q. 344. Sometimes in car accidents, fires or destruction of buildings, people's limbs are broken or lost. Sometimes there are only small pieces of the hand or the head; is it prescribed to pray over these limbs? And should they be washed?

A. If small pieces such as the hand and foot are found and their owner has already been prayed over, then they should not be prayed over. For example, if we prayed over a person and

[1] Reported by Al-Bukhari in the Book of the Funeral Prayers, in the Chapter: Washing the Deceased (1253).

buried him, but he had a leg missing and after that, we found his leg, it should be buried and it should not be prayed over, because the deceased has already been prayed over.

But if the whole body of the deceased is not present and only one of the limbs is found, such as his head, his foot or his hand and the remainder of his body is missing, then what is present should be prayed over after washing and shrouding and then he should be buried.

Q. 345. A woman miscarried during her pregnancy and the age of this miscarried child was six months. She was doing difficult and tiring work, but in spite of this, she was fasting the month of Ramadan, and she fears that the death of this miscarried child in her womb before its delivery may have been caused by this hard work. In spite of this, he was buried and he was not prayed over. What is the ruling on leaving the prayer over him? And what action is incumbent upon the woman in order to allay these doubts which are assailing her regarding the death of the miscarried child? Benefit us (with advice) and may Allâh benefit you (with a reward).

A. If miscarriage occurs after four months, then the child must be washed, buried and prayed over. This is because if he reaches four months, the spirit has been breathed into him, as proven by the *Hadith* of 'Abdullah bin Mas'ud, may Allâh be pleased with him, who said: The Messenger of Allâh ﷺ informed us and he is the truthful one who is believed:

«إِنَّ أَحَدَكُمْ يُجْمَعُ خَلْقُهُ فِي بَطْنِ أُمِّهِ أَرْبَعِينَ يَوْمًا نُطْفَةً، ثُمَّ يَكُونُ عَلَقَةً مِثْلَ ذَلِكَ، ثُمَّ يَكُونُ مُضْغَةً مِثْلَ ذَلِكَ، ثُمَّ يُبْعَثُ إِلَيْهِ الْمَلَكُ فَيَنْفُخُ فِيهِ الرُّوحَ»

"The creation of anyone of you is gathered for forty days in his mother's womb in the form of a Nutfah, after which it becomes

an 'Alaqah (a piece of thick, coagulated blood) for a similar period (of forty days), then it becomes a Mudhghah (a lump of flesh) for a similar period (of forty days), then the angel is sent to it and breathes the spirit into it..."[1]

That adds up to a hundred and twenty days, i.e. four months, so if the child was miscarried, he should be washed, shrouded and prayed over, and he will be gathered with the people on the Day of Resurrection.

But if it is less than four months, then it is not washed, nor is it shrouded, nor is it prayed over, and it may be buried in any place, because it is a piece of flesh, not a person.

This miscarried child referred to in the question has reached six months, so it is an obligation to wash him, shroud him and pray over him. Based upon what was mentioned in the question, that they did not pray over him, it is incumbent upon them to pray over him at his grave now, if they know where it is. If not, they should perform the prayer of the absent for him, and the prayer of one is sufficient for him.

As for his mother's doubts as to whether the child was miscarried because of her, there is no effect from these doubts, and she should pay no heed to them, for many children die in the wombs of their mothers and there is no sin upon them, so she should cease these doubts and whisperings which are disturbing her peace of mind. And Allâh knows better.

Q. 346. What is the correct manner of performing the funeral prayer?

A. Regarding the man, the manner of it is that he be placed in front of the *Imam*, and the *Imam* should stand at his head, whether he is old or young. He makes the first *Takbir*, then

[1] Reported by Al-Bukhari in the Book of the Beginning of Creation (3208); and by Muslim in the Book of *Qadar* (2643)

recites *Surat Al-Fatihah* and if he recited another short *Surah* with it, there is no objection indeed, some of the scholars hold that it is a part of the *Sunnah* to do so.

Then he should make the second *Takbir* and send prayers on the Prophet ﷺ, saying:

«اللَّهُمَّ صَلِّ عَلَى مُحَمَّدٍ وَعَلَى آلِ مُحَمَّدٍ، كَمَا صَلَّيْتَ عَلَى إِبْرَاهِيمَ وَعَلَى آلِ إِبْرَاهِيمَ، إِنَّكَ حَمِيدٌ مَجِيدٌ. اللَّهُمَّ بَارِكْ عَلَى مُحَمَّدٍ، وَعَلَى آلِ مُحَمَّدٍ، كَمَا بَارَكْتَ عَلَى إِبْرَاهِيمَ، وَعَلَى آلِ إِبْرَاهِيمَ، إِنَّكَ حَمِيدٌ مَجِيدٌ»

(Allâhumma Salli 'Ala Muhammadin Wa 'Ala Aali Muhammadin Kama Sallayta 'Ala Ibraheem Wa 'Ala Aali Ibraheema Innaka Hameedun Majeed; Allâhumma Barik 'Ala Muhammadin Wa 'Ala Aali Muhammadin Kama Barakta 'Ala Ibraheem Wa 'Ala Aali Ibraheema Innaka Hameedun Majeed.)

"Oh, Allâh! Send prayers on Muhammad and on the family of Muhammad, as You sent prayers on Abraham and the family of Abraham. Truly You are Worthy of praise, Full of glory. Oh, Allâh! Send blessings on Muhammad and on the family of Muhammad, as You sent blessings on Abraham and the family of Abraham. Truly, You are Worthy of praise, Full of glory."

Then he should make the third *Takbir* and supplicate by the words reported from the Prophet ﷺ:

«اللَّهُمَّ اغْفِرْ لِحَيِّنَا وَمَيِّتِنَا، وَشَاهِدِنَا وَغَائِبِنَا، وَصَغِيرِنَا وَكَبِيرِنَا، وَذَكَرِنَا وَأُنْثَانَا. اللَّهُمَّ مَنْ أَحْيَيْتَهُ مِنَّا فَأَحْيِهِ عَلَى الْإِسْلَامِ، وَمَنْ تَوَفَّيْتَهُ مِنَّا فَتَوَفَّهُ عَلَى الْإِيمَانِ. اللَّهُمَّ اغْفِرْ لَهُ، وَارْحَمْهُ، وَعَافِهِ، وَاعْفُ عَنْهُ، وَأَكْرِمْ نُزُلَهُ، وَوَسِّعْ مُدْخَلَهُ، وَاغْسِلْهُ بِالْمَاءِ وَالثَّلْجِ وَالْبَرَدِ، وَنَقِّهِ مِنَ الْخَطَايَا كَمَا يُنَقَّى الثَّوْبُ الْأَبْيَضُ مِنَ الدَّنَسِ. اللَّهُمَّ لَا تَحْرِمْنَا أَجْرَهُ، وَلَا تُضِلَّنَا بَعْدَهُ، وَاغْفِرْ لَنَا وَلَهُ»

(Allâhummaghfir Lihayyina Wa Mayyitina, Wa Shahidina Wa Gha'ibina, Wa Sagheerina Wa Kabeerina, Wa Thakarina Wa Unthana. Allâhumma Man Ahyaitahu Minna Fa'ahyihi 'Alal-Islam, Wa Man Tawaffaitahu Minna Fatawaffahu 'Alal-Eeman. Allâhummaghfir Lahu, Warhamhu, Wa 'Afihi, Wa'fu 'Anhu, Wa Akrim Nuzulahu, Wa Wassi' Mudkhalahu, Waghsilhu Bil-Ma'i Wath-Thalji Wal-Baradi, Wa Naqqihi Minal-Khataya Kama Yunaqqath-Thawbul-Abyadhu Minad-Danas. Allâhumma La Tahrimna Ajrahu, Wa La Tudhillana Ba'dahu, Waghfir Lana Wa Lahu.)

"Oh, Allâh! Forgive our living and forgive our dead, and those of us who are present and those of us who are absent, and the young and the old among us, and the males and the females among us. Oh, Allâh! Whomsoever among us You bring to life, bring him to life as a Muslim, and whomsoever among us You take unto You, take him as a believer. Oh, Allâh! Forgive him, have mercy upon him, give him peace and absolve him. Receive him with honor and make his grave spacious; wash him with water, snow and hail. Cleanse him from faults as a white garment is cleansed from impurity. Oh, Allâh! Do not withhold from us the reward (of praying for) him and do not send us astray after his death and forgive us and him."[1]

He may chose wordings other than this, which have been reported from the Prophet ﷺ.

Then he should make the fourth *Takbir* and some of the scholars have said that he should say after it:

«رَبَّنَا آتِنَا فِي الدُّنْيَا حَسَنَةً وَفِي الآخِرَةِ حَسَنَةً وَقِنَا عَذَابَ النَّارِ»

Rabbana Atina Fid-Dunya Hasanatan Wa Fil-Akhirati Hasanatan Wa Qina 'Athaban-Nar.

[1] Reported by Muslim in the Book of Funeral Prayers; by Abu Dawud in the Book of Funeral Prayers; by Ibn Majah in the Book: What Has Been Said Regarding the Funeral Prayers; by Imam Ahmad in 'The Remainder of the *Musnad* of the *Ansar*'; and by Malik in his *Muwatta'*, in the Book of Funeral Prayers.

"Our Lord! Give us in this world that which is good and in the Hereafter that which is good and save us from the torment of the Fire."

And if he makes a fifth *Takbir* after that, there is no objection, because it has been confirmed from the Prophet ﷺ; indeed, it is desirable that it should be done sometimes, i.e. that a fifth *Takbir* be made, since it has been confirmed from the Prophet ﷺ that he did so.[1]

It is desirable for a person to do whatever has been confirmed from him in the manner in which it was reported, so he should do this one time and that another time, even if his practice on most occasions was to make four *Takbirs*, then to make one *Taslim* to his right.

However, if the deceased is female, he should stand at her middle and the manner of the prayer over her is the same as that for a man.

If a number of funerals take place, then it is desirable that they are organized, so that those who are nearest to the *Imam* are the adult males, then the male children, then the adult females, then the young girls this is how they are organized. As for their heads, the head of every male is placed at the middle of the woman, so that the *Imam* will be standing in the prescribed place.

Here there is an important point, which is that many of the common folk think that it is preferable for the people who brought the deceased to stand with the *Imam*, indeed, some of them think that it is necessary that one or more stand with the *Imam* and this is a mistake, because the *Sunnah* regarding the

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[1] In the *Hadith* of Zaid bin Arqam, may Allah be pleased with him, it is reported that he made a fifth *Takbir* in a funeral prayer and he said: The Prophet ﷺ used to make this (fifth) *Takbir*. Reported by Muslim in the Book of Funeral Prayers, in the Chapter: Praying Over the Grave 2:659.

Imam is that he be alone. And if those who bring the deceased do not find any place in the row, they should form a row between the *Imam* and the first row.

Q. 347. What is the ruling on praying over the deceased if he was one who abandoned the prayer, or there is doubt as to whether he abandoned it, or his situation is unknown? And is it permissible for the person responsible for him to present him to be prayed over?

A. As for a person of whom it is known that he died as one who did not pray, then it is not permissible to pray over him, nor is it lawful for his family to present him to the Muslims in order for them to pray over him. This is because he is a disbeliever and an apostate from Islam. A hole should be dug for him in some place other than the graveyard, and he should be thrown into it, and he should not be prayed over, because there is no respect due to him since he will be gathered on the Day of Resurrection with Fir'awn, Haman, Qarun and Ubayy bin Khalaf.

As for a person from among the Muslims whose circumstances are unknown, or one about whom there is some doubt, he should be prayed over, because the basic principle is that he is a Muslim, until it becomes clear to us that he is not a Muslim. But there is no objection if there is some doubt regarding this deceased person to be excepted at the time of supplication, so that it is said: *Allâhumma In Kana Mu'minan Faghfir Lahu Warhamhu* (Oh, Allâh! If he was a believer, then forgive him and have mercy on him), because exception in supplication has been reported regarding those who accuse their spouses of committing adultery, and do not bring four witnesses. If a man swears an accusation of his wife's adultery, he should say in the fifth (swearing): *Wa Anna La'natallahi 'Alaihi In Kana Minal-Kathibeen* (And Allâh's Curse be upon him if he is one of the liars) and she should say in the fifth (swearing): *Wa Anna Ghadhaballahi 'Alayha In Kana Minas-Sadiqeen* (And that Allâh's

Anger be upon her if he is one of the truthful ones).

Q. 348. Is there a fixed time for the funeral prayer? And is it permissible to bury the deceased at night? And is there a fixed number of worshippers for it? And is it permissible to pray in the graveyards and at the gravesides?

A. There is no fixed time for the funeral prayer, because there is no fixed time for death. So, whenever a person dies, he should be washed and shrouded and prayed over at any time of the day or night, and buried at any time of the day or night. The exception for this is the three times, for it is not permissible to perform a burial at these times, and they are: From sunrise, until the sun has risen such that it casts a shadow on a spear equivalent to its length; when it is at its zenith, until it begins to decline, that is, about ten minutes before it passes its zenith; and from the time when the sun starts to set in the west, until after sunset. And its lowering in the west is when there remains about a spear's length between it and its setting. At these three times, it is not lawful to perform a burial. And the prohibition of burial at these times is one of absolute forbiddance, according to the *Hadith* of 'Uqbah bin 'Amir, may Allâh be pleased with him, who said: The Messenger of Allâh ﷺ prohibited us from praying and burying our dead at three times.[1]

There is no fixed number of worshippers; in fact, if only one person prayed over the deceased, that would be sufficient.

It is permissible to pray in the graveyard, which is why the scholars have excepted this from the prohibition of praying in the graveyards. Similarly, it is permissible to pray over the grave, for it has been authentically reported from the Prophet ﷺ that he prayed over the grave of the woman who used to sweep the *Masjid*

[1] Reported by Muslim in the Book of the Traveller's Prayers, in the Chapter: The Times at Which it is Prohibited to Pray (1:568).

and she died one night, and the Companions, may Allâh be pleased with them, buried her, then the Messenger of Allâh ﷺ said:

«دُلُّونِي عَلَى قَبْرِهَا»

"Direct me to her grave."

So, they directed him and he prayed over her.[1]

Q. 349. Is it lawful to pray for a deceased person who is absent in all circumstances, or are there specific conditions for it?

A. The most authoritative opinion from among the sayings of the scholars is that it is not lawful to perform funeral prayers except for a person who has not been prayed over, such as if a person died in a disbelieving country and no one prayed over him, or he was drowned at sea or in a river or a ravine and his body was not found. In that case, it is an obligation to pray for him.

But as for one who has been prayed over, the correct opinion is that praying for him (again) is not lawful, because that has not been reported in the *Sunnah* except in the story of An-Najashi, over whom none had prayed in his country, which is why the Prophet ﷺ prayed for him in Al-Madinah.[2]

Powerful men and leaders died during the life of the Prophet ﷺ, and it has not been transmitted that he prayed over them; and some of the scholars said: If there was anyone who benefitted the people by his wealth, his deeds or his knowledge, then the funeral prayer should be performed for him in absentia, but whoever was not one of these, he should not be prayed for. And some of the scholars said: The absent person may be prayed for in all circumstances, but this is the weakest opinion.

[1] The reference for this *Hadith* was mentioned previously under no. 341.

[2] Reported by Al-Bukhari in the Book of the Virtues of the *Ansar*, in the Chapter: The Death of An-Najashi 5:65; and by Muslim in the Book of Funeral Prayers, in the Chapter: Making *Takbir* Over the Deceased 2:656.

Q. 350. In some countries, they bury the deceased lying on his back with his hands on his stomach, what is the correct thing to do when burying the dead?

A. His Eminence, the Shaikh replied saying: The correct procedure is for the deceased to be buried on his right side, facing the *Qiblah*, for the Ka'bah is the *Qiblah* of the people both in life and in death and just as the sleeper lies on his right side, as ordered by the Prophet ﷺ. So, the deceased is made to lie on his right side, because both sleep and death are described as the taking of the soul, as Allâh, the Most High says:

﴿اللَّهُ يَتَوَفَّى الْأَنفُسَ حِينَ مَوْتِهَا وَالَّتِي لَمْ تَمُتْ فِي مَنَامِهَا فَيُمْسِكُ
الَّتِي قَضَى عَلَيْهَا الْمَوْتَ وَيُرْسِلُ الْأُخْرَى إِلَى أَجَلٍ مُّسَمًّى إِنَّ فِي ذَلِكَ
لَآيَاتٍ لِّقَوْمٍ يَتَفَكَّرُونَ﴾

"It is Allah Who takes away the souls at the time of their death, and those that die not during their sleep. He keeps those (souls) for which He has ordained death and sends the rest for a term appointed. Verily, in this are signs for a people who think deeply."[1]

And He, the Most High says:

﴿وَهُوَ الَّذِي يَتَوَفَّاكُم بِاللَّيْلِ وَيَعْلَمُ مَا جَرَحْتُم بِالنَّهَارِ ثُمَّ يَبْعَثُكُمْ فِيهِ
لِيُقْضَى أَجَلٌ مُّسَمًّى ثُمَّ إِلَيْهِ مَرْجِعُكُمْ ثُمَّ يُنَبِّئُكُم بِمَا كُنتُمْ تَعْمَلُونَ﴾

"It is He Who takes your souls by night (when you are asleep), and has knowledge of all that you have done by day, then He raises (wakes) you up again that a term appointed (your life period) be fulfilled, then (in the end) unto Him will be your return. Then He will inform you of that which you used to do."[2]

So, what is prescribed regarding the deceased is that he be made to lie on his right side, facing the *Qiblah*.

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[1] *Az-Zumar* 39:42

[2] *Al-An'am* 6:60

Possibly what the questioner has seen is the result of the ignorance of those who do this; otherwise, I have not heard any scholar saying that the deceased should be made to lie on his back with his hands on his stomach.

Q. 351. What is the ruling on reciting the Qur'ân over the graves, supplicating for the deceased at the graveside, and a person supplicating for himself at the graveside?

A. Reciting the Qur'ân over the graves is an innovation which has not been reported from the Prophet ﷺ, nor from his Companions, may Allâh be pleased with them, so it is not desirable for us that we should commit this innovation of our own accord. In a narration which has been authentically reported, the Prophet ﷺ said:

«كُلُّ مُحْدَثَةٍ بِدْعَةٌ، وَكُلُّ بِدْعَةٍ ضَلَالَةٌ، وَكُلُّ ضَلَالَةٍ فِي النَّارِ»

"Every newly-invented matter is an innovation, and every innovation is misguidance, and every misguidance is in the Fire."[1]

It is an obligation on the Muslims to follow the example of the *Salaf* among the Companions, and those who followed them faithfully, so that they may be following goodness and guidance. This is in accordance with the narration which has been confirmed from the Prophet ﷺ in which he said:

«خَيْرُ الْكَلَامِ كَلَامُ اللهِ، وَخَيْرُ الْهَدْيِ هَدْيُ مُحَمَّدٍ ﷺ»

"The best speech is the Speech of Allâh, and the best guidance is the guidance of Muhammad ﷺ."[2]

As for supplicating for the deceased at the graveside, there is no objection to it: A person should stand by the grave and

[1] Reported by Muslim in the Book of the Friday Prayer, the Chapter: Making the Prayer Light, and the Sermon (867) (43).

[2] See the previous reference.

supplicate for him using whatever supplication is easy for him, such as by saying:

«اللَّهُمَّ اغْفِرْ لَهُ» «اللَّهُمَّ ارْحَمْهُ» «اللَّهُمَّ أَدْخِلْهُ الْجَنَّةَ» «اللَّهُمَّ افْسَحْ لَهُ فِي قَبْرِهِ»

(Allâhummaghfir Lahu, Allâhumarhamhu, Allâhumma Adkhilhul-Jannata, Allâhummafsah Lahu Fee Qabrihi)

"Oh, Allâh! Forgive him. Oh, Allâh! Have mercy on him. Oh, Allâh! Admit him to Paradise. Oh, Allâh! Make his grave wide."

–and other such supplications.

But as for a person supplicating for himself at the graveside, if he does it intentionally (i.e. intentionally chooses this place), then it is a form of innovation, because no place may be singled out for supplication unless some evidence has been reported for it. And if there is no evidence for it, and it was not mentioned in the *Sunnah*, then it (I mean singling out a place for supplication) wherever that place may be, is an innovation.

Q. 352. What is the ruling on visiting the graveyards, reciting *Surat Al-Fatihah*, and the visiting of graveyards by women?

A. Visiting the graves is a *Sunnah* which was ordered by the Prophet ﷺ after he had previously prohibited it, as confirmed by him ﷺ in his words:

«كُنْتُ نَهَيْتُكُمْ عَنْ زِيَارَةِ الْقُبُورِ، أَلَا فَزُورُوهَا فَإِنَّهَا تُذَكِّرُكُمُ الْآخِرَةَ»

"I had previously prohibited you from visiting the graves, but you may now visit them, for they will remind you of the Hereafter."[1]

So, visiting the graves for the purpose of reminding (oneself of the Hereafter) and taking warning is a *Sunnah*. When a person visits those dead people in their graves and those people were

[1] Reported by Muslim in the Book of Funeral Prayers, in the Chapter: The Prophet's Seeking Permission From His Lord, the Almighty, the All-powerful to Visit the Grave of His Mother (977).

with him yesterday (i.e. in the recent past) on the face of the earth, eating as he eats, drinking as he drinks and enjoying their life in this world, and now they have become dependent upon their deeds: If they were good, then his situation will be good, and if they were evil, then it will be evil. So, he must feel warned and his heart must be softened, and he must turn to Allâh, the Almighty, the All-Powerful, renouncing disobedience to Him in favor of obedience to Him.

It is desirable for one who visits the graveyard to supplicate using the words which the Prophet ﷺ used and which he taught to his people:

«السَّلَامُ عَلَيْكُمْ دَارَ قَوْمٍ مُؤْمِنِينَ، وَإِنَّا إِنْ شَاءَ اللهُ بِكُمْ لَاحِقُونَ، يَرْحَمُ اللهُ الْمُسْتَقْدِمِينَ مِنَّا وَالْمُسْتَأْخِرِينَ، نَسْأَلُ اللهَ لَنَا وَلَكُمُ الْعَافِيَةَ. اللَّهُمَّ لَا تَحْرِمْنَا أَجْرَهُمْ، وَلَا تَفْتِنَّا بَعْدَهُمْ، وَاغْفِرْلَنَا وَلَهُمْ»

(*As-Salamu 'Alaykum Dara Qawmin Mu'mineen, Wa Inna In Sha' Allâhu Bikum Lahiqoon. Yarhamullahul-Mustaqdimeena Minna Wal-Musta'khireen. Nas'alullaha Lana Wa Lakumul-'Afiyata. Allâhumma La Tahrimna Ajrahum, Wa La Taftinna Ba'dahum, Waghfir Lana Wa Lahum.*)

"May the Peace of Allâh be upon you, abode of the believing people, and we, Allâh Willing, will follow you. May Allâh have mercy on those of us who die earlier and those who die later. We ask Allâh, for ourselves and for you, that He pardon us. Oh, Allâh! Do not prevent us from their reward and do not put us to trial after them and forgive us and them."[1]

It has not been reported from the Prophet ﷺ that he would recite *Surat Al-Fatihah* when visiting the graves, and therefore the recitation of *Surat Al-Fatihah* at the gravesides contradicts what was legislated by the Prophet ﷺ.

[1] See *Sahih Muslim*, the Book of Funeral Prayers, in the Chapter: What is Said When Entering the Graveyard.

As for women visiting the graves, that is unlawful, because the Prophet ﷺ cursed women who visit the graves and those who take them as places of worship and illuminate them.[1]

So, it is not lawful for a woman to visit the graveyard; this if she goes out of her house with the intention of visiting the graves. But if she passed by the graveyard without intending to visit it, then there is no sin upon her to stand and send salutations of peace to the inhabitants of the graveyard, using the supplications which the Prophet ﷺ taught to his community.

So, there is a difference regarding women, between one who goes out from her house with the intention of visiting the graves, and one who passed by the graveyard without intending to, and stands and sends salutations of peace: The first, who went out from her house to visit the graves has done something unlawful and exposed herself to Allâh, the Almighty, the All-Powerful's Curse, whereas regarding the second, there is no sin upon her.

Q. 353. There is a custom in some countries that when a person dies, they raise their voices in recitation of the Qur'ân, and play it using tape recorders in the house of the deceased. What is the ruling on this practice?

A. The answer is, that we say; this practice is an innovation without a doubt. It did not exist during the time of the Prophet ﷺ or the time of the Companions, may Allâh be pleased with them. When a person recites the Qur'ân to himself, it lessens

[1] Reported by Abu Dawud in the Book of Funeral Prayers, in the Chapter: Women Visiting the Graves (3236); by At-Tirmithi in the Book of Prayer, in the Chapter: What Has Been Said Regarding the Hatefulness of Taking the Grave as a *Masjid* (320); by An-Nasa'i in the Book of Funeral Prayers, in the Chapter: The Severity of Erecting Lights Over the Graves (2042); and by Ibn Majah in the Book of Funeral Prayers, in the Chapter: What Has Been Said About the Prohibition of Women Visiting the Graves (1575).

his sadness, as opposed to when it is played via loudspeakers which every person hears, even those who are frittering away their time with vain talk, even those who are listening to music and musical instruments, you find them listening to the Qur'ân while they are listening to these musical instruments. So, it is as if they are considering the recitation of the Qur'ân in vain, and making a mockery of it. Likewise, for the deceased's family to gather, in order to receive those expressing their condolences, this is also something that was unknown during the time of the Prophet ﷺ. Indeed, some of the scholars have said that it is an innovation. For this reason, we do not think that the family of the deceased should gather in order to receive those expressing their condolences.

Instead, they should close their doors, and if they should meet anyone in the market, or if someone they know came without them preparing anything for this meeting, and without them opening the door to every person, then there is no objection to this.

But as for them gathering and opening the doors and receiving the people, this is something which was unknown in the time of the Prophet ﷺ, so much so that the Companions, may Allâh be pleased with them, used to consider gathering in the house of the deceased and preparing food to be a form of lamenting. Lamenting, as is well known, is a major sin, because the Prophet ﷺ cursed the wailing woman and the one who listens to her, saying:

«النَّائِحَةُ إِذَا لَمْ تَتُبْ قَبْلَ مَوْتِهَا تُقَامُ يَوْمَ الْقِيَامَةِ وَعَلَيْهَا سِرْبَالٌ مِنْ قَطِرَانٍ، وَدِرْعٌ مِنْ جَرَبٍ»

"If the wailing woman does not repent before her death, she will be brought forth on the Day of Resurrection wearing a garment of pitch and a shirt of mange."[1]

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[1] Reported by Muslim in the Book of Funeral Prayers, in the Chapter: The Warning Against Wailing (934).

We ask Allâh's Protection from that.

So, my advice to my Muslim brothers is to abandon these innovated things, because that is preferable for them, according to Allâh. It is also preferable for the deceased, because the Prophet ﷺ informed us that the deceased suffers from torment because of the crying of his family over him, and because of their wailing over him.[1] The meaning of his suffering torment, is that he feels pain due to this crying and wailing, even though he may not be punished with the punishment of the one who does it, because Allâh, the Most High says:

﴿وَلَا تَزِرُ وَازِرَةٌ وِزْرَ أُخْرَىٰ﴾

"...and no bearer of burdens shall bear the burden of another."[2]

And it is not necessary that torment be a punishment; have you not observed the words of the Prophet ﷺ:

«السَّفَرُ قِطْعَةٌ مِنَ الْعَذَابِ»

"Travel is a portion from punishment."[3]

Suffering is not (actually) a punishment; in fact, pain, worry and the like are considered (linguistically) a punishment. Among the sayings of the people is: 'My conscience punished me', if he is seized by great worry and sadness.

In short, I advise my Muslim brothers against such customs as these, which only increase them in distance from Allâh and increase their dead in naught but punishment.

[1] Reported by Al-Bukhari in the Book of Funeral Prayers; by Muslim in the Book of Funeral Prayers; by Abu Dawud in the Book of Funeral Prayers; by At-Tirmithi in the Book of Funeral Prayers; by An-Nasa'i in the Book of Funeral Prayers; and by Ahmad in a number of places in his *Musnad*.

[2] *Al-An'am* 6:164

[3] Reported by Al-Bukhari in the Book of *'Umrah*, in the Chapter: Travel is a Form of Punishment.

فتاوى الزكاة

Fatawa on Zakah

Q. 354. What are the conditions for the obligation of *Zakah*?

A. The conditions for the obligation of *Zakah* are: Islam, freedom, possession of the *Nisab*[1] its continuance, and the passing of the *Hawl*,[2] except in the case of *Al-Mu'ashsharat*.[3]

As for Islam: It is because the disbeliever is not obliged to pay *Zakah*, nor would it be accepted from him if he paid it in the name of *Zakah*. This is according to the Words of Allâh, the Most High:

﴿وَمَا مَنَعَهُمْ أَن تُقْبَلَ مِنْهُمْ نَفَقَـٰتُهُمْ إِلَّآ أَنَّهُمْ كَفَرُوا۟ بِٱللَّهِ وَبِرَسُولِهِۦ وَلَا يَأْتُونَ ٱلصَّلَوٰةَ إِلَّا وَهُمْ كُسَالَىٰ وَلَا يُنفِقُونَ إِلَّا وَهُمْ كَـٰرِهُونَ﴾

"And nothing prevents their contributions from being accepted from them except that they disbelieved in Allah and in His Messenger (Muhammad ﷺ), and that they came not to As-Salat (the prayer) except in a lazy state, and that they offer not contributions but unwillingly."[4]

But our saying that it is not incumbent upon the disbeliever and that it is not valid from him does not mean that he will be pardoned for it in the Hereafter; indeed, he will be punished for it, according to the Words of Allâh, the Most High:

﴿كُلُّ نَفْسٍۭ بِمَا كَسَبَتْ رَهِينَةٌ ﴿٣٨﴾ إِلَّآ أَصْحَـٰبَ ٱلْيَمِينِ ﴿٣٩﴾ فِى جَنَّـٰتٍ يَتَسَآءَلُونَ ﴿٤٠﴾ عَنِ ٱلْمُجْرِمِينَ ﴿٤١﴾ مَا سَلَكَكُمْ فِى سَقَرَ ﴿٤٢﴾ قَالُوا۟ لَمْ نَكُ مِنَ ٱلْمُصَلِّينَ ﴿٤٣﴾ وَلَمْ نَكُ نُطْعِمُ ٱلْمِسْكِينَ ﴿٤٤﴾ وَكُنَّا نَخُوضُ مَعَ ٱلْخَآئِضِينَ ﴿٤٥﴾ وَكُنَّا نُكَذِّبُ بِيَوْمِ ٱلدِّينِ ﴿٤٦﴾ حَتَّىٰٓ أَتَىٰنَا ٱلْيَقِينُ﴾

[1] *Nisab*: The minimum amount of property liable to payment of *Zakah*.

[2] *Hawl*: The time period after which the payment of *Zakah* becomes due on something.

[3] *Al-Mu'ashsharat*: The produce of the earth on which one-tenth of its value must be paid as *Zakah*.

[4] *At-Tawbah* 9:54

"Every person is a pledge for what he has earned, except those on the Right (i.e. the pious true believers of Islamic Monotheism). In Gardens (Paradise) they will ask one another, about Al-Mujrimun (polytheists, criminals, disbelievers) (and they will say to them): 'What has caused you to enter Hell?' They will say: 'we were not of those who used to offer the Salat (prayers), nor we used to feed Al-Miskın (the poor); and we used to talk falsehood (all that which Allah hated) with vain talkers. And we used to deny the Day of Recompense, Until there came to us (the death) that is certain.'"[1]

This proves that the disbelievers will be punished for their transgression of the Islamic *Furu'*[2] and it is so.

As for Freedom: This is because the slave has no property, since his property belongs to his master, according to the words of the Prophet ﷺ:

«مَنْ بَاعَ عَبْدًا لَهُ مَالٌ فَمَالُهُ لِبَائِعِهِ إِلَّا أَنْ يَشْتَرِطَهُ الْمُبْتَاعُ»

"Whoever sold a slave who has property, his property belongs to the seller, unless the purchaser makes it a condition."[3]

He is not the owner of property so that *Zakah* might be incumbent upon him. If it happened that a slave owned something through acquisition, then his property in the end will revert to his master, because his master has the right to take what is in his hands. Based upon this, there is something lacking in his ownership, it is not permanent like the ownership of free men.

As for Possession of the *Nisab*: It means that a person has property which amounts to the minimum liable to the payment

[1] *Al-Muddaththir* 74:38-47.

[2] *Furu'*: The branches of Islamic Jurisprudence, rather than the fundamental issues. Here he means that they will suffer not only for denying the basics of faith, but the practical applications of it as well.

[3] Reported by Ahmad in his *Musnad*.

of *Zakah* which has been determined by the Islamic Law. This differs according to the type of property. If a person does not have a *Nisab*, then there is no *Zakah* incumbent upon him, because his wealth is little and it is not possible that he may help others.

The *Nisab* on livestock has a minimum and a maximum (according to the number) and in other wealth (such as money) there is a minimum (and no maximum).

As for the Passing of the *Hawl*: It is because the obligation of *Zakah* in a period of less than a year would cause injustice against the rich. Making it an obligation in a period greater than a year would cause harm to those who are entitled to receive *Zakah*. So, it is from the wisdom of the Islamic Law that a certain period of time has been fixed for paying it, and that is a year. By making it dependent upon a year, there is also a balance between the rights of the rich and the rights of those who are entitled to receive *Zakah*.

Based upon this, if a person died for example, or his wealth was lost before the passing of a whole year, he would not be liable to pay *Zakah*. However, there are three things that are excluded from the completion of a year:

1. The profit on trade,
2. The offspring of grazing livestock,
3. *Al-Mu'ashsharat.*

As for the profit on trade, the *Hawl* is the same as that of its origin, and as for the offspring of livestock, the *Hawl* of the young is the *Hawl* of their mothers, while the *Hawl* of *Al-Mu'asharat* is the time of their harvesting; and *Al-Mu'ashsharat* are grains and crops.

Q. 355. How should one take out the *Zakah* on monthly salaries?

A. The best thing in this matter is that if the *Hawl* of the first salary which he received is completed, then he should pay the *Zakah* of all that he has. So, that which its *Hawl* is complete, its *Zakah* will be paid in that *Hawl*, and that which its *Hawl* is not complete, its *Zakah* may be paid in advance. There is no problem in paying *Zakah* in advance; and this is easier for him than taking account separately each month. But if he expends each monthly salary before the salary of the next month arrives, then there is no *Zakah* due upon it, because one of the conditions of the obligation of *Zakah* on wealth is that the *Hawl* is completed on it.

Q. 356. Is it obligatory to pay *Zakah* on the wealth of a child and an insane person?

A. This question is a subject of disagreement among the scholars: Some of them say that *Zakah* on the wealth of a child and an insane person is not obligatory, bearing in mind the requirement of legal capacity; and it is well known that the child and the insane person are not legally capable, so there is no *Zakah* due upon their wealth.

Others among them say that, on the contrary, *Zakah* is incumbent on their wealth, and that is the correct opinion, because *Zakah* is one of the rights upon property, and no regard is paid to owner, according to the Words of Allâh, the Most High:

﴿خُذْ مِنْ أَمْوَٰلِهِمْ صَدَقَةً﴾

"Take Sadaqah (alms) from their wealth."[1]

So, He has declared the objection of obligation to be the wealth; and according to the words of the Prophet ﷺ to Mu'ath bin Jabal, may Allâh be pleased with him, when he sent him to Yemen:

[1] *At-Tawbah* 9:103

«أَعْلِمْهُمْ أَنَّ اللهَ افْتَرَضَ عَلَيْهِمْ صَدَقَةً فِي أَمْوَالِهِمْ، تُؤْخَذُ مِنْ أَغْنِيَائِهِمْ فَتُرَدُّ عَلَى فُقَرَائِهِمْ»

"Inform them that Allâh has made incumbent upon them the payment of Zakah on their wealth; it is taken from the wealthy among them and distributed among their poor."[1]

Based upon this, *Zakah* is obligatory on the wealth of the child and the insane, and the responsibility for paying it rests with their legal guardian.

Q. 357. What is the ruling on the *Zakah* of a debt?

A. The payment of *Zakah* is not obligatory on one who is owed a debt by a person before it is in his possession, because it is not in his hands. But if the debt is owed to a wealthy person, then that person is obliged to pay the *Zakah* of it every year. If he paid it along with the *Zakah* on his wealth, then he has fulfilled his obligation, but if he did not pay it along with the *Zakah* on his wealth, once he receives it, he is obliged to pay the *Zakah* on it for all of the previous years. This is because the rich man could request its payment, but he left it to the choice of the debtor. However, if the debt was owed to a poor person, or a rich man who was unable to demand its payment, then the one owed is not obliged to pay *Zakah* on it for every year. This is because it is not possible for him to acquire it, and Allâh, the Most High says:

﴿وَإِن كَانَ ذُو عُسْرَةٍ فَنَظِرَةٌ إِلَىٰ مَيْسَرَةٍ﴾

"And if the debtor is in a hard time (has no money), then grant him time till it is easy for him to repay."[2]

So it is not possible for him to receive this money, and benefit

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[1] Reported by Al-Bukhari in the Book of *Zakah*, in the Chapter: The Obligation of *Zakah* (1395); and by Muslim in the Book of Faith, in the Chapter: Calling to the *Shahadatan* and the Laws of Islam (19).

[2] *Al-Baqarah* 2:280

from it, therefore, there is no *Zakah* upon it.

However, if he received it, there are those among the scholars who say that he should begin a new *Hawl*, while others say that he should pay *Zakah* for one year, and if a year passes, he should pay *Zakah* for that too, and this is more prudent. And Allâh knows better.

Q. 358. Should a deceased person's debt be paid if he has not left any *Zakah*?

A. Ibn 'Abdul-Barr and Abu 'Ubaid said that the debt of a dead person may not be paid from *Zakah*, according to the consensus of the scholars. But the fact is that the matter is a subject of disagreement among the scholars, although the majority of the scholars say: A debt upon the deceased may not be paid from it, because the deceased has gone on to the Hereafter and the ignominy and humiliation of the debt which he owes do not follow him, as they do the living. And, because the Prophet ﷺ did not pay the debts of the dead from *Zakah*; instead, he ﷺ would pay them from the wealth of the war booty when Allâh granted him victory. This proves that it is not correct to pay the debt of the deceased from *Zakah*.

It is also said that if the deceased used to take the wealth of the people, and he intended to return it, then Allâh will pay it for him by His Grace and Generosity. But if he took it intending to waste it, then he has committed an offence against himself, and the debt remains upon him, and it will be exacted on the Day of Resurrection. In my view, the most correct opinion is that a debt upon a deceased person may be paid from it. It might be said that there is a difference between the case when the living are in need of the *Zakah* due to poverty, *Jihad*, a debt or some other thing and the case when the living are not in need of it. In the case in which the living are in need of it, the living take precedence over the dead, while in the case in which

the living are not in need of it, there is no sin on it being used to pay the debts of the deceased who died without leaving any money. And it may be that this opinion is a middle way between the two (aforementioned) opinions.

Q. 359. Is it correct for a person who is in debt to give charity? And what legal obligations are lifted from the debtor?

A. Charity is a form of spending which is commanded by the Islamic Law, and it is a form of *Ihsan* towards Allâh's worshippers, if it is given where it is needed. A person will be rewarded for his charity, and every man will be in the shade of his charity on the Day of Resurrection and it is accepted whether a person is in debt or not, as long as the conditions for its acceptance are met. These conditions are that it is given purely and sincerely for Allâh, the Almighty, the All-Powerful's sake, that it is from honest earnings, and it is given where it is needed. If these conditions are fulfilled, then the charity is accepted, according to the legal evidences; and it is not a condition that a person be free of debt. But if the debt covers all that he has, then it is not wise, nor is it logical that he should give charity while charity is recommended, not obligatory and that he should leave the debt which is an obligation on him. He should begin first with the obligation, then give charity. Scholars have disagreed regarding the situation if a person gives charity when he has a debt covering all of his wealth: Some of them say that it is not permissible because it harms his creditor, and it causes this obligatory debt to remain unpaid.

Some of them say that it is permissible, but that it contradicts what is more worthy.

In any case, it is not fitting for a person whose debt covers all that he has, to give charity until he has settled his debt, because an obligation takes precedence over a voluntary act of worship.

As for the legal obligations that are lifted from one who is indebted until such time as he pays it, they include *Hajj*, because *Hajj* is not incumbent upon a person who is in debt until he has paid it.

As for *Zakah*, scholars have differed regarding whether its obligation is lifted from the debtor until such time as he pays the debt or not. Among the scholars are those who say that the obligation of *Zakah* is lifted on the amount which is equivalent to the debt, whether the wealth is evident or not.

Among them are those who say that the obligation to pay *Zakah* is not lifted on the amount which is equivalent to the debt; rather he must pay *Zakah* on the whole amount which he possesses. If there is a debt incumbent on him, the *Nisab* is decreased.

There are those among them who discriminate, saying that if the wealth is concealed, wealth which is not seen and is not perceptible, such as money and trading merchandise, then the obligation to pay *Zakah* is lifted on the amount which is equivalent to the debt, while if the wealth is in the form of perceptible things, such livestock and the produce of the earth, then the obligation to pay *Zakah* is not lifted.

The correct view in my opinion is that the obligation to pay it is not lifted, regardless of whether the wealth is perceptible or not, and that every person who has wealth in his hand upon which *Zakah* is payable must pay his *Zakah*, even if he is in debt. This is because *Zakah* is incumbent upon wealth, according to the Words of Allâh, the Most High:

﴿خُذْ مِنْ أَمْوَٰلِهِمْ صَدَقَةً تُطَهِّرُهُمْ وَتُزَكِّيهِم بِهَا وَصَلِّ عَلَيْهِمْ إِنَّ صَلَوٰتَكَ سَكَنٌ لَّهُمْ وَٱللَّهُ سَمِيعٌ عَلِيمٌ﴾

"Take Sadaqah (alms) from their wealth in order to purify them and sanctify them with it, and invoke Allah for them. Verily, your

invocations are a source of security for them; and Allah is All-Hearer, All-Knower."[1]

And the words of the Prophet ﷺ to Mu'ath bin Jabal, may Allâh be pleased with him, when he sent him to Yemen:

«أَعْلِمْهُمْ أَنَّ اللهَ افْتَرَضَ عَلَيْهِمْ صَدَقَةً فِي أَمْوَالِهِمْ تُؤْخَذُ مِنْ أَغْنِيَائِهِمْ وَتُرَدُّ عَلَى فُقَرَائِهِمْ»

"Inform them that Allâh has made incumbent upon them the payment of Zakah on their wealth; it is taken from the wealthy among them and distributed among their poor."[2]

The *Hadith* is in *Sahih Al-Bukhari* with this wording. By this evidence from the Book (of Allâh) and the *Sunnah*, the two things are separate, and there is no conflict between *Zakah* and a debt, because a debt remains an obligation and *Zakah* is incumbent upon wealth. So, each of them is incumbent in a place wherein the other is not incumbent, so there is no conflict between them, and no contradiction, and thus a debt remains the responsibility of its owner and *Zakah* remains incumbent on wealth, and he must pay it from the wealth in all circumstances.

Q. 360. A person did not pay *Zakah* for four years; what is incumbent upon him?

A. This person has sinned by delaying the payment of his *Zakah*, because it is incumbent upon a person to pay *Zakah* as soon as it becomes obligatory, and not to delay it, because the basic principle regarding obligations is that they be fulfilled immediately. Therefore, this person should repent to Allâh, the Almighty, the All-Powerful for this act of disobedience and he must pay the *Zakah* for all the previous years, and nothing is omitted from that *Zakah*; rather he must repent and pay it quickly, so that he does not increase his sin by delaying further.

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[1] *At-Tawbah* 9:103

[2] The reference for this *Hadith* was mentioned previously under no. 356.

Q. 361. Is there any *Zakah* on livestock which are fed for half of the year?

A. There is no *Zakah* on livestock which is fed for half a year in total, because *Zakah* on livestock is not obligatory unless they are *Sa'imah*. *Sa'imah* are animals which are reared on what Allâh produces from the earth for a complete year, or more than a year. As for animals fed for part of a year, or half of the year, there is no *Zakah* incumbent upon them, unless they are prepared for sale, for these carry the ruling of *Zakah* on merchandise. If the matter is thus, then there is *Zakah* incumbent upon them, which is calculated every year according to their worth, then a quarter of one tenth of their value should be extracted, i.e. 2.5% of their value.

Q. 362. Three years ago, I bought a house and with it, all praise and thanks are to Allâh, were three fruit bearing date-palms of two different types, and they produced a high yield. Am I obliged to pay *Zakah* in these circumstances? If the answer is in the affirmative – and most of the people are very ignorant of this – then I would like to ask some questions regarding this: How can I know when the *Nisab* has been reached or it has not been reached when I gather them (for household consumption)?

Secondly: How is the *Zakah* calculated? And is it paid from every one according to its type, or are they added together and the *Zakah* extracted from one type? And is it permissible for me to pay in money? And what should I do about the previous years?

A. What the questioner has mentioned regarding the ruling on these date-palms being unknown to many people is correct: Many people have seven, ten or more or less date-palms and their yield reaches the *Nisab*, but they do not know that there is any *Zakah* due on them. They think that *Zakah* is only due on

plantations, when in fact, *Zakah* is payable on the yield of date-palms regardless of whether they are in a plantation or in homes.

Accordingly, the owner should bring a person who is experienced and let him determine the yield of these date-palms to see whether it amounts to the *Nisab* or not. If it amounts to the *Nisab*, he must pay *Zakah* for them, but how can he pay the *Zakah* when he gathers them, as the questioner asked?

My view is that in circumstances such as these, the value of the date-palms should be estimated and then half of one tenth of their value should be extracted, because that is easier for the owner, and more beneficial for the one who is in need, that is, giving money is more beneficial for one who is in need and calculating it in money is easier for the owner. And the amount of the *Zakah* is 5% , while the *Zakah* on wealth is 2.5%. But there is 5% on this, because its *Zakah* is that of fruits, not that of trading.

As for the years that passed when he did not pay *Zakah* due to ignorance, he should estimate himself now how much he thinks the past harvests were, and pay the *Zakah* now. And there is no sin upon him for his past delay in paying the *Zakah*, because he was ignorant of it, but he must pay the *Zakah* for what has passed.

Q. 363. What is the *Nisab* of gold and silver? And what is the equivalent of the *Sa'* of the Prophet ﷺ in kilograms?

A. The *Nisab* of gold is twenty *Mithqals* and that is equivalent in grams to eighty-five grams.

As for the *Nisab* of silver, it is a hundred and forty *Mithqals* and that is equivalent in Saudi silver *Dirhams* to fifty-six Riyals.

As for the equivalent of the *Sa'* of the Prophet ﷺ in kilograms, it is two kilograms and forty grams of good quality wheat.

Q. 364. A man has daughters and he gave them jewelry, and all of the jewelry amounted to the *Nisab*, but the jewelry of each of them did not amount to the *Nisab*. Is all

of the jewelry combined and *Zakah* paid on it?

A. If he gave them this jewelry as a loan, then the jewelry is his property, and he must total it all and if it amounts to the *Nisab*, he must pay its *Zakah*. But if he gave his daughters this jewelry on the understanding that it was their property, then it is not incumbent upon him to combine the jewelry of each one of them with the jewelry of the others, because each of them owns it independently of the others. Based upon this, if the jewelry of one of them amounts to the *Nisab*, she must pay *Zakah* for it, and if it does not, then she does not have to.

Q. 365. If a man gave his *Zakah* to one who deserves it, then the one who took it gave it to him as a gift, should he accept it?

A. If the man gave his *Zakah* to one who deserved it, then he gave it to him as a gift, then there is no objection to that, if there was no agreement between them, but it is more prudent that he should not accept it.

Q. 366. Is it permissible for a person to pay something other than money as *Zakah* on his wealth, such as clothing and the like?

A. That is not permissible.

Q. 367. If there were diamonds and the like with the gold, how can the *Zakah* be assessed?

A. It is assessed by those with experience. It should be taken to the gold merchants or the manufacturers so that they can see if the gold amounts to the *Nisab* or not. If it does not amount to the *Nisab*, then there is no *Zakah* payable on it, unless she possesses (other) gold by which the *Nisab* is completed, and the value of the gold that has diamonds is assessed, and the *Zakah* which is a quarter of one-tenth is paid.

Q. 368. What is the ruling on spending *Zakah* on the building of *Masjids*? And who is the *Faqir*?

A. It is not permissible to spend *Zakah* except on the eight categories whom Allâh has mentioned, because Allâh has mentioned that with a restriction through the use of the Arabic word *Innama* (only), for He says:

﴿إِنَّمَا ٱلصَّدَقَٰتُ لِلْفُقَرَآءِ وَٱلْمَسَٰكِينِ وَٱلْعَٰمِلِينَ عَلَيْهَا وَٱلْمُؤَلَّفَةِ قُلُوبُهُمْ وَفِى ٱلرِّقَابِ وَٱلْغَٰرِمِينَ وَفِى سَبِيلِ ٱللَّهِ وَٱبْنِ ٱلسَّبِيلِ ۖ فَرِيضَةً مِّنَ ٱللَّهِ ۗ وَٱللَّهُ عَلِيمٌ حَكِيمٌ﴾

"As-Sadaqat (here it means Zakat) are only for the Fuqara' (poor), and Al-Masakin (the needy) and those employed to collect (the funds); and to attract the hearts of those who have been inclined (towards Islam); and to free the captives; and for those in debt; and for Allah's Cause (i.e. for Mujahidun — those fighting in a holy battle), and for the wayfarer (a traveller who is cut off from everything); a duty imposed by Allah. And Allah is All-Knower, All-Wise."[1]

So, it is not permissible to spend it on building *Masjids*, teaching knowledge and the like. But as for recommended (voluntary) charities, it is better for them to be in things that are most beneficial.

As for the *Faqir* who has a right to receive *Zakah*, he is one who does not have what is sufficient for himself and his family for a year, according to the time and place. For it could be that a thousand Riyals in one time and place is considered wealth, while in another time and place, it is not considered wealth, due to the cost of living and such like.

Q. 369. Is *Zakah* incumbent upon cars which are used as taxis and private cars?

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[1] *At-Tawbah* 9:60

A. Cars that are hired out by a person for transportation, or private cars which he uses for himself, all of these are not liable for *Zakah*. The *Zakah* is only on the rent (i.e. the money earned) from them if it reaches the *Nisab* by itself, or if it is added to other money which he has, and the *Hawl* is completed upon it. Likewise, properties that he rents out are not liable for *Zakah*, the *Zakah* is only payable on the rent earned from them.

Q. 370. What is the ruling on the *Zakah* of a rented house?

A. If a rented house is rented out for profit, then there is no *Zakah* payable on the value of the house. The *Zakah* is only payable on the income that is generated from it if the *Hawl* is completed upon it from the time of the rental agreement. If the *Hawl* has not been completed upon it from the time of the rental agreement, then there is no *Zakah* payable upon it either.

For example, if he rented out the house for ten thousand Riyals, of which he receives five thousand at the time of the agreement which he spends. Then he receives five thousand in the middle of the year which he spends before the end of the year, there is no *Zakah* upon him in that case. This is because the *Hawl* has not been completed upon this money. However, if he prepared the house for sale and he waited to receive the profit from it, but he said: Since it has not been sold, I will rent it out, then in this case, he must pay *Zakah* for the value of the house, because he has prepared it for sale; he did not want to keep it and profit from it. And everything which is intended for the purpose of trade and profit is liable for *Zakah*, according to the words of the Prophet ﷺ:

«إِنَّمَا الأَعْمَالُ بِالنِّيَّاتِ، وَإِنَّمَا لِكُلِّ امْرِئٍ مَانَوَى»

"Deeds are according to intentions and every person shall have what he intended."[1]

[1] Reported by Al-Bukhari in the Book of the Beginning of the Revelation, in the Chapter: How the Revelation to the Messenger of

This person who has wealth from which he intends to profit, intended only its value, not the property itself, and its value is in money, and it is necessary to pay *Zakah* upon money. So based upon this, a person who intended to trade and profit from this house must pay *Zakah* on the value of the house and upon its income from rent if the *Hawl* is completed upon it from the time of the rental agreement.

Q. 371. A person bought some land intending to live on it, and after three years passed, he made the intention to use it for trade. Is there any *Zakah* due on the past years?

A. There is no *Zakah* incumbent upon it because in the years that passed, he only intended to live on it. But from the time when he made the intention to trade and profit from it, the *Hawl* comes into effect. If the *Hawl* is completed after that, he must pay *Zakah*.

Q. 372. What is the ruling on paying *Zakatul-Fitr*[1] during the first ten days of Ramadan?

A. *Zakatul-Fitr* is connected to *Al-Fitr* (the breaking of the fast), because *Al-Fitr* is the reason for it. So, if the breaking of the fast of Ramadan is the reason for this expiation, then it is dependent upon it, and it should not precede it. This is why the best time to pay it is on the day of *'Eid*, prior to the prayer. However, it is permissible to pay it one or two days before *'Eid*, as this makes things easier for the giver and the recipient. Before that, according to the most authoritative opinion of the

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Allah ﷻ Began; and by Muslim in the Book of Government, in the Chapter: The Words of the Prophet ﷺ: Deeds are Purely According to Intentions. (1907).

[1] *Zakatul-Fitr*: A charity which must be paid by every Muslim, young, old, male and female, free and slave at the end of the month of Ramadan.

scholars, it is not permissible; and according to this there are two times for it: the permissible time, which is one or two days before the *'Eid* and the preferred time, which is on the day of *'Eid* prior to the prayer.

As for delaying it until after the prayer, that is unlawful and it will not be counted as *Zakatul-Fitr,* according to the *Hadith* of Ibn 'Abbas, may Allâh be pleased with him (that the Prophet ﷺ said):

«مَنْ أَدَّاهَا قَبْلَ الصَّلَاةِ فَهِيَ زَكَاةٌ مَقْبُولَةٌ، وَمَنْ أَدَّاهَا بَعْدَ الصَّلَاةِ فَهِيَ صَدَقَةٌ مِنَ الصَّدَقَاتِ»

"Whoever paid it before the prayer, it is an accepted Zakah, and whoever paid it after the prayer, then it is just a voluntary charity."[1]

Unless the person was ignorant of the day of *'Eid,* such as if he was out in the desert and he did not know until it was too late, and such like. In that case, there is no sin upon him in paying it after the *'Eid* prayer and it will be counted as *Zakatul-Fitr.*

Q. 373. Is it permissible to increase the *Zakatul-Fitr* payment with the intention of giving a voluntary charity?

A. Yes, it is permissible for a person to increase the *Zakatul-Fitr* payment and make the intention that what was in excess of the obligatory amount be considered a voluntary charity. Included in this is the practice of some people nowadays who have *Zakatul-Fitr* for ten persons to distribute for example, so they buy a bag of rice which holds more than the *Zakatul-Fitr* for ten persons, and he gives all of it as payment for themselves and for their families. This is permissible if they are certain that this bag

[1] Reported by Abu Dawud in the Book of *Zakah,* in the Chapter: *Zakatul-Fitr* (1609); and by Ibn Majah in the Book of *Zakah,* in the Chapter: *Sadaqatul-Fitr* (1827).

holds what is incumbent upon them, or more, because measuring the amount of *Zakatul-Fitr* is not obligatory, except to know if it is sufficient, so if we know that the amount is sufficient in this bag and we pay it to the poor person, then there is no sin in this.

Q. 374. Some scholars say that it is not permissible to give *Zakatul-Fitr* in the form of rice since the types of food reported (in the *Ahadith*) are available. What is Your Eminence's view?

A. Some scholars say that if the five types of food are available and they are: wheat, dates, barley, raisins and cottage cheese then *Zakatul-Fitr* will not be fulfilled by giving something other than these. This view completely contradicts the view of those who say that it is permissible to pay *Zakatul-Fitr* with any of these things and others, even with money. So, there are two conflicting opinions.

The correct view is that paying it with any human food will be counted, because Abu Sa'id Al-Khudri, may Allâh be pleased with him, said, as confirmed in *Sahih Al-Bukhari*: "We used to pay it during the time of the Prophet ﷺ with a *Sa'* of food; and our food consisted of dates, barley, raisins and cottage cheese."[1]

He did not mention wheat either, and I do not know of any clear, authentic *Hadith* in which wheat is mentioned as being given as *Zakatul-Fitr*, but there is no doubt that wheat is valid.

Then there is the *Hadith* of Ibn 'Abbas, may Allâh be pleased with them, in which he said: The Messenger of Allâh ﷺ enjoined the payment of *Zakatul-Fitr* as a purification for the fasting person from vain talk, obscenity and in order to feed the destitute.[2]

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[1] Reported by Al-Bukhari in the Book of *Zakah*, in the Chapter: *Sadaqatul-Fitr* is One *Sa'* of Food (1506).

[2] A portion of the *Hadith* of Ibn 'Abbas, may Allah be pleased with him, mentioned previously on page 433.

Therefore, the correct view is that any human food is valid for the payment of *Zakatul-Fitr*, even if it is not one of the five types which have been reported by the scholars of Islamic Jurisprudence, because four of these types, as indicated earlier, were the food of the people during the time of the Prophet ﷺ.

Based upon this, it is permissible to pay *Zakatul-Fitr* in the form of rice; indeed, I hold the view that rice is better than anything else in the present time, because it is the least trouble and the most desireable to people. But having said this, cases differ, so it could be that in the countryside, a group of people might prefer dates and so a person might offer it as dates, while in another place, raisins are preferred by them, and so a person might offer it as raisins. Similarly, cottage cheese or something else (might be preferred), so the best thing for each people is what is most beneficial for them.

Q. 375. His Eminence, the Shaikh was asked: If a person had a one third share of a deceased person's will, and Dirhams belonging to orphans, is there *Zakah* due on them?

A. His Eminence, the Shaikh answered: As for the third which is for the deceased, there is no *Zakah* upon it, because it has no owner, it is only considered to be for charitable purposes. As for the Dirhams which are for the orphans, *Zakah* is incumbent upon them, and their guardian must pay it for them, because the correct opinion among the sayings of the scholars is that it is not a condition of *Zakah* that one be of age, or of sound mind, because *Zakah* is incumbent upon wealth.

Q. 376. Is there *Zakah* payable on private cars?

A. There is no *Zakah* payable on it. Everything a person uses for himself, except gold and silver jewelry does not require *Zakah* to be paid on it, whether it be a car, a camel, a farm machine or anything else, according to the words of the Prophet ﷺ:

«لَيْسَ عَلَى الْمُسْلِمِ فِي عَبْدِهِ وَلَا فَرَسِهِ صَدَقَةٌ»

"There is no Zakah payable by a Muslim on his slave, nor on his horse."[1]

Q. 377. If a person gave his *Zakah* to one who has a right to it, should he inform him that it is *Zakah*?

A. If a person gave his *Zakah* to one who has a right to it, if this person who has a right to it refuses the *Zakah* and will not accept it, then it is an obligation upon the owner of the *Zakah* to inform him that it is *Zakah*, so that he may be informed about the matter and then if he wishes, he may refuse it, and if he wishes, he may accept it. If it is his custom to accept *Zakah*, then it is desirable that he may not be informed, because in informing him that it is *Zakah*, it may be a way of reminding him of your generosity and Allâh, the Most High has said:

﴿يَـٰٓأَيُّهَا ٱلَّذِينَ ءَامَنُوا۟ لَا تُبْطِلُوا۟ صَدَقَـٰتِكُم بِٱلْمَنِّ وَٱلْأَذَىٰ﴾

"O you who believe! Do not render in vain your Sadaqah (charity) by reminders of your generosity or by injury."[2]

Q. 378. What is the ruling on transferring *Zakah* from the place of its obligation?

A. It is permissible for a person to transfer his *Zakah* from his country to another country, if there is some benefit in that. If a person has relatives who have the right to receive *Zakah* in a country other than his country, and he sends it to them, there is no objection to that. Similarly, if the standard of living in the country is high and a person sends it to the country of his

[1] Reported by Al-Bukhari in the Book of *Zakah*, in the Chapter: No *Sadaqah* is Payable by the Muslim for His Slave (1464); and by Muslim in the Book of *Zakah*, in the Chapter: There is no *Zakah* Incumbent Upon the Muslim for His Slave or His Horse (982).

[2] *Al-Baqarah* 2:264

family which is poorer, there is no objection to that either. But if there is no benefit in transferring his *Zakah* from one country to another, then it should not be transferred.

Q. 379. If someone is in Makkah and his family lives in Riyadh, may he pay *Zakatul-Fitr* for them in Makkah?

A. It is permissible for a person to pay *Zakatul-Fitr* for his family if they are not in the city or country with him. If he was in Makkah and they were in Riyadh, it is permissible to pay *Zakatul-Fitr* for them in Makkah, but it is better for a person to pay *Zakatul-Fitr* in the place in which the time for its payment overtakes him, so if it overtakes him when he is in Makkah, he should pay it in Makkah and if he is in Riyadh, then he should pay it in Riyadh. If some of his family members are in Makkah and some of them in Riyadh, then those in Riyadh should pay it in Riyadh and those in Makkah should pay it in Makkah, because *Zakatul-Fitr* is due from each person.

Q. 380. Is it better for the debtor to be given *Zakah* in order to pay his debts or should the one giving the *Zakah* go to the creditor and pay it for him?

A. That depends: If this indebted man is conscientious about paying his debts and fulfilling his obligations, and he can be trusted to utilize what he is given to discharge the debt, then we would give him the money himself. In this way, he may pay his debt, because this is more discreet for him and less likely to embarrass him in front of the people who are seeking him (to repay his debts).

But if the debtor is a man who is a spendthrift who would squander the money if we gave it to him to pay his debt, buying unnecessary things with it, then we should not give it to him; instead, we should go to his creditor and ask him: What is the debt of so-and-so to you? Then we should give him this debt or a part of it, according to what is easy.

Q. 381. Is every person who extends his hand for *Zakah* deserving of it?

A. Not every person who extends his hand for *Zakah* is deserving of it, because there are those among mankind who extend their hands for money while they are wealthy. This type of person will come on the Day of Resurrection while his face will not have a bit of flesh on it,[1] may Allâh protect us from that. He will come on the Day of Resurrection, on the Day when the witnesses will stand and the bones of his face will be visible, may Allâh protect us from that, and the Prophet ﷺ said:

«مَنْ سَأَلَ النَّاسَ أَمْوَالَهُمْ تَكَثُّرًا فَإِنَّمَا يَسْأَلُ جَمْرًا فَلْيَسْتَقِلَّ أَوْ لِيَسْتَكْثِرْ»

"He who begs the riches of others to increase his own wealth is asking only for burning coals (in the Hereafter), so let him ask a little or much."[2]

I would like to take this opportunity to warn those people who ask people in an importune manner when they are in possession of wealth. Indeed, I warn everyone who accepts *Zakah* when he is not entitled to receive it. I say to him: If you took *Zakah* to which you are not entitled, you are only consuming ill-gotten gains, may Allâh protect us from that, and a person should fear Allâh, for the Prophet ﷺ said:

«مَنْ يَسْتَغْنِ يُغْنِهِ اللهُ، وَمَنْ يَسْتَعْفِفْ يُعِفَّهُ اللهُ»

"Whoever tries to make himself self-sufficient, Allâh will make him self-sufficient; and whoever abstains from asking others, Allâh will make him content."[3]

[1] Reported by Muslim in the Book of *Zakah*, in the Chapter: The Disapproval of Begging From the People (1040)

[2] Reported by Muslim in the Book of *Zakah*, in the Chapter: The Disapproval of Begging From the People (1041).

[3] Reported by Al-Bukhari in the Book of *Zakah*, in the Chapter: There is

But if a man extends his hand to you, and you believe it is most likely that he is entitled to it, and you gave him, then the *Zakah* will be counted, and you will have discharged your obligation, even if it became apparent after that that he was not entitled to it. There is no need to think that you have to pay the *Zakah* again (to someone else).

The evidence for this is the story of the man who gave money in charity, and he gave charity first to a prostitute and the people began to talk, saying: "Have you given money tonight to a prostitute?" He said: "All praise and thanks are to Allâh." Then he gave charity on the second night and it fell into the hands of a thief and the people began to talk, saying: "Have you given money tonight to a thief?" Then he gave charity on the third night to a rich man and the people began to talk, saying: "Have you given money tonight to a rich man?" He said: "All praise and thanks are to Allâh for the prostitute, the thief and the rich man." Then it was said to him (by an angel): "Your charity has been accepted; as for the prostitute, haply she may content herself with what you have given her and it may prevent her from committing illegal sexual intercourse, while as for the thief, haply he may content himself with what you have given him and he may refrain from stealing, while as for the rich man, haply, he may reflect and give charity."[1]

So, my brother, look at the honest intention, what is its effect: Therefore, if you gave the person who asked you, and then it

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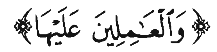
no Obligation to Give Charity Except Upon One Who is Wealthy (1427); and by Muslim in the Book of *Zakah*, in the Chapter: The Virtue of Contentment and Patience (1053).

[1] Reported by Al-Bukhari in the Book of *Zakah*, in the Chapter: If One Unwittingly Gave Charity to a Rich Person (1421); and by Muslim in the Book of *Zakah*, in the Chapter: Confirmation of the Reward of One Who Gives Charity, Even if the Charity Fell into the Hands of One Who is not Entitled to it (1022).

became apparent that he was wealthy and you had given him something, believing that he was poor, it is not necessary for you to repay the *Zakah*.

Q. 382. A rich man sent his *Zakah* to a person and said to him: Distribute it as you think best. Is this authorized representative considered to be one of those who are employed to collect *Zakah* and is he thus entitled to be paid from it?

A. This authorized representative is not one of those who are employed to collect *Zakah*, and he is not entitled to anything of it. This person is a private representative for a particular individual. This is the underlying meaning, and Allâh knows better, of the Qur'ânic expression:



"and those employed to collect (the funds)."[1]

The word *'Ala* conveys a form of legal guardianship, as if the word *'Amileen* includes the meaning of those who assume responsibility, which is why one who undertakes the distribution of *Zakah* for a particular individual is not considered one of those who are employed to collect and distribute it.

Q. 383. Should a person who is weak in faith be given *Zakah* in order to strengthen his faith, even though he is not one of the leaders of his people?

A. This matter is a subject of disagreement among the scholars. The most authoritative opinion in my view is that there is no objection to him being given something in order to attract his heart towards Islam by strengthening his faith, even if it was given personally by someone, and he is not a leader among his people, according to the Words of Allâh, the Most High:

[1] *At-Tawbah* 9:60

﴿وَٱلْمُؤَلَّفَةِ قُلُوبُهُمْ﴾

"...and to attract the hearts of those who have been inclined. (towards Islam)."

Because if it is permissible for us to give the poor person due to his physical need, then giving it to this person of weak faith in order to strengthen his faith is more worthy, because strengthening faith is more important for a person than feeding his body.

Q. 384. What is the ruling on giving *Zakah* to a person seeking knowledge?

A. It is permissible to give *Zakah* to a seeker of knowledge who is engaged in acquiring Islamic knowledge, even though he may be capable of earning. This is because seeking Islamic knowledge is a form of *Jihad* in Allâh's Cause and Allâh, the Most Blessed, the Most High has declared *Jihad* in His Cause to be an area deserving of *Zakah* in His Words:

﴿إِنَّمَا ٱلصَّدَقَٰتُ لِلْفُقَرَآءِ وَٱلْمَسَٰكِينِ وَٱلْعَٰمِلِينَ عَلَيْهَا وَٱلْمُؤَلَّفَةِ قُلُوبُهُمْ وَفِى ٱلرِّقَابِ وَٱلْغَٰرِمِينَ وَفِى سَبِيلِ ٱللَّهِ وَٱبْنِ ٱلسَّبِيلِ فَرِيضَةً مِّنَ ٱللَّهِ وَٱللَّهُ عَلِيمٌ حَكِيمٌ﴾

"As-Sadaqat (here it means Zakat) are only for the Fuqara' (poor), and Al-Masakin (the needy) and those employed to collect (the funds); and to attract the hearts of those who have been inclined (towards Islam); and to free the captives; and for those in debt; and for Allah's Cause (i.e. for Mujahidun — those fighting in a holy battle), and for the wayfarer (a traveller who is cut off from everything); a duty imposed by Allah. And Allah is All-Knower, All-Wise."[1]

But if the student is engaged in acquiring temporal knowledge, then he should not be given *Zakah* and we say to him: You are

[1] *At-Tawbah* 9:60

now working for the life of this world and it is possible that you may profit from this world by obtaining employment, so we will not give you from the *Zakah* money.

If we found a person who was able to earn enough for food, drink and accommodation, but he needed to marry and he did not have the means to marry, is it permissible to marry him (to someone) using *Zakah* funds? The answer is: Yes, it is permissible to marry him using *Zakah* funds, and to give him the dowry in full.

If it was said: What cause is there for saying that marrying a poor man from the *Zakah* funds is permissible, even if the sum which he is given from the *Zakah* funds is large? We say: This is because a person's need to marry is intense; in some cases, it might be as great as his need to eat and drink, which is why the scholars say: It is incumbent upon one who is obliged to provide for a person to get him married, if his wealth is sufficient for that. So it is an obligation upon the father to marry his son, if his son needs to get married, and he does not have the wealth to marry. But I have heard of some fathers who have forgotten how it was when they were young men, when their sons ask them to marry them, they say to them: Marry by the sweat of your brow. This is not permissible, and it is unlawful for him, if he is able to get him married, and his son will quarrel with him on the Day of Resurrection, if he does not marry him when he is able to do so.

Here a question arises: If a man has a number of sons and among them are some who have reached the age of marriage and he marries them, and there are young sons among them, is it permissible for this man to bequeath something of his wealth (in his will) as a dowry for the young sons, because he gave to his older sons? The answer is that it is not permissible for this man, if he married his older sons, to bequeath the dowry for his younger sons. But it is incumbent upon him, if any of them

reaches the age of marriage, to marry him as he married the others. As for bequeathing him something after his death, that is unlawful; and the evidence for this is the saying of the Prophet ﷺ:

«إِنَّ اللهَ أَعْطَى كُلَّ ذِي حَقٍّ حَقَّهُ، فَلَا وَصِيَّةَ لِوَارِثٍ»

"Verily, Allâh has given every person his right, so there is no bequest for an heir."[1]

Q. 385. Is it permissible to pay one's *Zakah* to the *Mujahidin*?

A. His Eminence, the Shaikh replied: Verily, Allâh has declared that among the lawful beneficiaries of *Zakah* are those who undertake *Jihad* in Allâh's Cause, so it is permissible for us to give *Zakah* to those who undertake *Jihad* in Allâh's Cause.

But who is the *Mujahid* in Allâh's Cause? The *Mujahid* in Allâh's Cause was defined by the Messenger of Allâh ﷺ, when he was asked about a man who fights out of bravery, one who fights out of rage or fanaticism, and one who fights in order be seen in his place (i.e. to be seen fighting *Jihad*).

The Prophet ﷺ gave him a just and valuable measure (of what a *Mujahid* is); he said:

«مَنْ قَاتَلَ لِتَكُونَ كَلِمَةُ اللهِ هِيَ الْعُلْيَا فَهُوَ فِي سَبِيلِ اللهِ»

"Whoever fights in order that Allâh's Word (i.e. Islam) should be superior, fights in Allâh's Cause."[2]

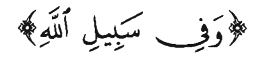
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[1] Reported by Abu Dawud in the Book of Sales, in the Chapter: What Has Been Said Regarding a Bequest to an Heir; and by At-Tirmithi in the Chapters on Bequests, in the Chapter: What Has Been Said Regarding the Fact That There is no Bequest for an Heir.

[2] Reported by Al-Bukhari in the Book of *Jihad* and Military Expeditions, in the Chapter: Whoever Fights in Order That Allah's Word be Superior (2810).

So, whoever fights for this goal, to proclaim Allâh's Word and to implement the Law of Allâh and to establish Allâh's religion in the lands of the disbelievers, then he is in Allâh's Cause, and he may be given money from the *Zakah* funds: Either he may be given money which he may use in the cause of *Jihad*, or the equipment for the preparation of the warriors.

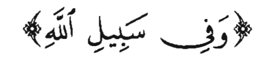
Q. 386. Do the Words of Allâh, the Most High regarding those who are entitled to receive *Zakah*:



"...and for Allah's Cause."[1]

apply to the spending of *Zakah* on the building of *Masjids*?

A. The building of *Masjids* is not included in the Words of Allâh, the Most High:



"for Allah's Cause."

because it has been explained by the scholars of *Tafsir* that the meaning of: for Allâh's Cause is: *Jihad* in Allâh's Cause, and because, if we said that the meaning of 'for Allâh's Cause' includes all types of good works, there would be no point in the limitation in Allâh's Words:

﴿إِنَّمَا ٱلصَّدَقَٰتُ لِلۡفُقَرَآءِ﴾

"As-Sadaqat (i.e. Zakah) are only for the Fuqara' (the poor who do not beg)."

Limitation, as is well known, confirms the ruling on what is mentioned, and negates it for anything else. So if we say that:

﴿وَفِي سَبِيلِ ٱللَّهِ﴾

"for Allah's Cause."

[1] *At-Tawbah* 9:60

means all forms of good works, then the Verse remains without any benefit with regard to its beginning including the particle: *Innama* (only), which proves limitation.

Also, permitting the expenditure of *Zakah* on the building of *Masjids* and other types of good works will adversely affect charity, because many people are stingy, and if they saw that it was possible for *Zakah* to be transferred to the building of *Masjids* and other types of good works, they would transfer their *Zakah* to them, and the poor and the destitute would remain in constant need.

Q. 387. What is the ruling on paying *Zakah* to one's close relatives?

A. The rule on this is that it is not permissible for the one who pays *Zakah* to give it to any close relative whom he is obliged to provide for, if that will result in him removing his financial support from him. But if the relative is one whom he is not obliged to provide for, such as his brother, if he has children (because if the brother has children, it is not incumbent upon his brother to support him, since there is no transmission of inheritance due to the existence of the children) – in this situation, it is permissible to pay *Zakah* to the brother, if he is one of those entitled to receive *Zakah*.

Similarly, if a person has close relatives who do not require *Zakah* for financial support, but they have debts, it is permissible to discharge their debts, even if the relative is a father, son, daughter or mother so long as the debt which they owe is not due to insufficient support.

An example of this would be of a man whose son had an accident, and he was obliged to pay for the damage to the car which he struck, and he had no money. In that case, it would be permissible for the father to pay the damages which are incumbent upon the son from his *Zakah*, i.e. from the *Zakah* of the father. This is because he is not obliged to pay these

damages as a part of his financial provision; rather it is an obligation upon him due to a matter unrelated to financial provision. Likewise, everyone who pays *Zakah* to a close relative which he is not obliged to pay for a reason other than *Zakah*, it is permissible to pay it from *Zakah*.

Q. 388. Are *Sadaqat* (charities) and *Zakah* payments particular to Ramadan?

A. Charities are not particular to the month of Ramadan; indeed, they are recommended and legislated at all times. *Zakah* should be paid by a person once the *Hawl* on his wealth has been completed, and he should not wait for Ramadan, unless Ramadan is near. For example, if the *Hawl* is in Sha'ban, so he waits until Ramadan there is no objection to that. But if the *Hawl* on his wealth was in Muharram for example, then it is not permissible for him to delay it until Ramadan. But it is permissible for him to advance it to the Ramadan before Muharram, and there is no sin in that. As for delaying it from the time when it becomes obligatory, that is not permissible, because obligations which are linked to a certain cause must be discharged when that cause is present, and it is not permissible to delay them from it.

Also, a person has no guarantee if he delays the payment of his *Zakah* from its appointed time, that he will remain until the time to which he has delayed it. He might die, and in that case, the *Zakah* will remain an unfulfilled obligation upon him. Then, his heirs might not pay it, because they might not know that it was incumbent upon him, or because of some other reason. So it is feared that if one is negligent with the payment of his *Zakah*, then it might be a cause of his *Zakah* not being paid.

As for *Sadaqah*: *Sadaqah* has no specific time for it; every day of the year is a time for it. The people choose to pay their *Sadaqat* and their *Zakah* in the month of Ramadan, because it is a time

of virtue and a time of generosity and kindness. The Prophet ﷺ was the most generous of people, and he was at his most generous in the month of Ramadan, when Jibril, peace be upon him, came to him and recited the Qur'ân with him.

But we should know that the virtue of *Zakah* or *Sadaqah* in Ramadan is a virtue related to the time. So, if there was no other virtue greater than it, then this time is the best time for it. But if there is some greater virtue than the virtue of the time, such as the poor being in greater need at another time, i.e. other than Ramadan, then it should not be delayed until Ramadan. Rather, the time should be considered, and *Sadaqah* should be paid at the time when it is most beneficial for the poor.

In most cases, the poor are more in need ouside of Ramadan than they are in Ramadan. This is because during Ramadan charities and *Zakah* funds are plentiful, so one finds that the poor at that time have enough and suffice themselves with what they have been given, but they are in dire need in the remaining days of the year. Therefore a person should give consideration to this matter and not make the virtue of the time a greater priority than any other virtue.

Q. 389. Is continuing charity that which a person gives while he is alive, or that which his family gives on his behalf after his death?

A. It would appear that what is meant by the words of the Prophet ﷺ:

«إِلَّا مِنْ صَدَقَةٍ جَارِيَةٍ»

"except continuing charity."[1]

[1] Reported by Muslim in the Book of Bequests, in the Chapter: The Reward Which Follows a Person After His Death (1631). (The *Hadith* in full is: When a man dies, his deeds come to an end except for three: Continuing charity, knowledge (by which people) benefit, or a

is from the deceased himself, and not from his children after his death. What comes from the child has been made clear by the Messenger ﷺ in his words:

«أَوْ وَلَدٍ صَالِحٍ يَدْعُو لَهُ»

"or a righteous son who supplicates for him."

So if a deceased person has bequeathed something, it will be a continuing charity, or if he endowed something, it will be a continuing charity for him, because people will continue to benefit from it after his death. Likewise, knowledge, because that is from his actions. Similarly, if the son supplicates for him (it will be a continuing charity); for this reason, if it was said to us: Is it better to offer two *Rak'ahs* of prayer for my father, or to offer two *Rak'ahs* for myself, and supplicate for my father in them? We would say: It is better for you to offer two *Rak'ahs* for yourself and supplicate for your father in them, because this was the guidance of the Prophet ﷺ when he said:

«أَوْ وَلَدٍ صَالِحٍ يَدْعُو لَهُ»

"or a righteous son who supplicates for him."

And he did not say: who performs *Salah* for him, or any other deed.

Q. 390. Is it permissible for a woman to give charity from her husband's wealth on her own behalf, or on behalf of one of her deceased relatives?

A. What is known is that the wealth of the husband belongs to the husband, and it is not permissible for anyone to give charity with the wealth of another without his permission. So, if the husband permitted her to give charity with it for herself, or for whomever she wished among her deceased relatives, there is no sin upon her. If he did not permit her to do so, then it is not lawful to give anything in charity, because it is his wealth, and the wealth

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righteous son who supplicates for him.)

of any Muslim is unlawful unless he gives it as a charity.

Q. 391. A poor man takes *Zakah* from his wealthy companion on the pretense that he will distribute it, then he takes it for himself; what is the ruling on this action?

A. This is unlawful for him, and it is the opposite of trustworthiness. Because his companion gave it to him with the understanding that he is his representative, authorized to give to others, yet he has taken it for himself. The scholars have said that it is unlawful for the authorized representative to use the money with which he has been entrusted for himself. So based on this, it is incumbent upon this person to make it clear to his companion, that he spent the money which he gave him previously on himself, and if he permits that for him, then that is that. But if he does not permit it, he must take responsibility for it; i.e. he must guarantee to disburse the *Zakah* that he took for himself on behalf of his companion.

I would like to take this opportunity to draw attention to something which some ignorant people do. Sometimes a poor man takes *Zakah*, and then Allâh enriches him, and the people give him money in the belief that he is still poor, and he takes it. Some of the people who take it, use it and say: 'I did not ask the people, and this is a blessing which Allâh has given to me.' This is unlawful, because it is unlawful for one whom Allâh, the Most High has enriched to take anything from *Zakah*.

There are some people who accept it, and then give it to others without being authorized to do so by the owner of the *Zakah*, and this is also unlawful. It is not permissible for them to act this way, even though it may not be as bad as the first case. Either way it is still unlawful for them to do it, and it is incumbent upon them to return the *Zakah* to its owners – if they do not approve of them doing that – then it is not permissible for them to dispose it of.

فتاوى الصيام

Fatawa on Fasting

Q. 392. What is the wisdom behind the obligation of fasting?

A. If we read the Words of Allâh, the Most High:

﴿يَٰٓأَيُّهَا ٱلَّذِينَ ءَامَنُوا۟ كُتِبَ عَلَيْكُمُ ٱلصِّيَامُ كَمَا كُتِبَ عَلَى ٱلَّذِينَ مِن قَبْلِكُمْ لَعَلَّكُمْ تَتَّقُونَ﴾

"O you who believe! Observing As-Saum (the fasting) is prescribed for you as it was prescribed for those before you, that you may become Al-Muttaqun."[1]

we will know the wisdom behind the obligation of fasting. It is *Taqwa* and worship of Allâh, the Most Glorified, the Most High.

Taqwa means to abandon unlawful deeds, and without exception, it includes doing whatever Allâh has commanded and abstaining from what He has forbidden. The Prophet ﷺ said:

«مَنْ لَمْ يَدَعْ قَوْلَ الزُّورِ وَالْعَمَلَ بِهِ وَالْجَهْلَ فَلَيْسَ للهِ حَاجَةٌ أَنْ يَدَعَ طَعَامَهُ وَشَرَابَهُ»

"Whoever does not give up lying speech, (false statements) and acting on them (i.e., telling lies), and evil deeds, and behaving in an ignorant evil way, and speaking bad words to others, then Allâh is not in need of his (fasting) leaving his food and drink."[2]

Based upon this, the obligation upon the fasting person to undertake the obligatory deeds and abstain from the unlawful is confirmed, both in word and deed. So, he should not backbite people, nor should he lie, nor should he spread gossip among them, nor should he sell unlawful things, and he should avoid all unlawful deeds. If a person does this, for a whole month, his soul will be upright for the rest of the year.

[1] *Al-Baqarah* 2:183

[2] Reported by Al-Bukhari in the Book of Fasting, in the Chapter: Whoever Does not Abandon Untruthful Speech and Acting Upon it While Fasting (1903).

But unfortunately, many fasting people do not distinguish between the days they fast, and the days they are not fasting. They behave according to their usual custom, leaving what is obligatory upon them and committing what is unlawful for them, and one does not sense the solemnity of a fasting person in him. While these deeds do not invalidate his fasting, they reduce his reward, and possibly, on the Day when deeds are weighed, these sins will outweigh the reward of his fasting, and he will lose the benefit for it.

Q. 393. There are some people who call for the uniting of moon sightings everywhere with that of Makkah, in order to unite the Muslim community over the start of the blessed month of Ramadan and other months. What is Your Eminence's opinion on this?

A. From the point of view of astronomy, this is impossible, because the appearance of the new crescent, as Shaikhul-Islam Ibn Taimiyyah, may Allâh have mercy on him, said, differs (from place to place) according to the consensus of those who are knowledgeable in this field. Since it differs, then what is necessitated by the evidence from the Qur'ân and the *Sunnah*, and scientific evidence, is that every country must have its own ruling.

As for the evidence from the Qur'ân and the *Sunnah*, Allâh, the Most High says:

﴿فَمَن شَهِدَ مِنكُمُ ٱلشَّهۡرَ فَلۡيَصُمۡهُ﴾

"So whoever of you sights (the crescent on the first night of) the month (of Ramadan, i.e. is present at his home), he must observe Saum (fasts) that month."[1]

So, if it happened that a people in the farthest part of the earth did not witness the month, i.e. the new crescent, while the people of Makkah had seen the new crescent, how could the

[1] *Al-Baqarah* 2:185

address in this Verse be applied to those who had not witnessed the new crescent?! The Prophet ﷺ said:

«صُومُوا لِرُؤْيَتِهِ وَأَفْطِرُوا لِرُؤْيَتِهِ»

"Fast when you see it and break the fast when you see it."[1]

So if the people of Makkah see it, how can we oblige the people of Pakistan and those Asians who live beyond it to fast, when we know that the new crescent has not appeared in their region, and the Prophet ﷺ made fasting conditional upon the sighting of the new crescent?

The scientific evidence is the correct analogy, which it is not possible to refute, for we know that the dawn appears in the eastern corner of the earth before the western side. So if the dawn appears on the eastern side, is it incumbent upon us to fast while we are still in the night? The answer is no. If the sun sets in the east, while were still in daylight, is it permissible for us to break our fast? The answer is no. Therefore, the new crescent is exactly like the sun, except that the timing of the new crescent is monthly and the timing of the sun is daily, and He Who said:

﴿أُحِلَّ لَكُمْ لَيْلَةَ ٱلصِّيَامِ ٱلرَّفَثُ إِلَىٰ نِسَآئِكُمْ ۚ هُنَّ لِبَاسٌ لَّكُمْ وَأَنتُمْ لِبَاسٌ لَّهُنَّ ۗ عَلِمَ ٱللَّهُ أَنَّكُمْ كُنتُمْ تَخْتَانُونَ أَنفُسَكُمْ فَتَابَ عَلَيْكُمْ وَعَفَا عَنكُمْ ۖ فَٱلْـَٰٔنَ بَٰشِرُوهُنَّ وَٱبْتَغُوا۟ مَا كَتَبَ ٱللَّهُ لَكُمْ ۚ وَكُلُوا۟ وَٱشْرَبُوا۟ حَتَّىٰ يَتَبَيَّنَ لَكُمُ ٱلْخَيْطُ ٱلْأَبْيَضُ مِنَ ٱلْخَيْطِ ٱلْأَسْوَدِ مِنَ ٱلْفَجْرِ ۖ ثُمَّ أَتِمُّوا۟ ٱلصِّيَامَ إِلَى ٱلَّيْلِ ۚ وَلَا تُبَٰشِرُوهُنَّ وَأَنتُمْ عَٰكِفُونَ فِى ٱلْمَسَٰجِدِ ۗ تِلْكَ حُدُودُ ٱللَّهِ فَلَا تَقْرَبُوهَا ۗ كَذَٰلِكَ يُبَيِّنُ ٱللَّهُ ءَايَٰتِهِۦ لِلنَّاسِ لَعَلَّهُمْ يَتَّقُونَ﴾

[1] Reported by Al-Bukhari in the Book of Fasting, in the Chapter: The Words of the Prophet ﷺ: When you see the new crescent (1909); and by Muslim in the Book of Fasting, in the Chapter: The Obligation to Fast the Month of Ramadan Upon Sighting the New crescent (1081).

"It is made lawful for you to have sexual relations with your wives on the night of As-Saum (the fasts). They are Libas [i.e. body-cover, or screen, or Sakan (i.e. you enjoy the pleasure of living with them)] for you and you are the same for them. Allah knows that you used to deceive yourselves, so He turned to you (accepted your repentance) and forgave you. So now have sexual relations with them and seek that which Allah has ordained for you (offspring), and eat and drink until the white thread (light) of dawn appears to you distinct from the black thread (darkness of night), then complete your Saum (fast) till the nightfall. And do not have sexual relations with them (your wives) while you are in I'tikaf (i.e. confining oneself in a mosque for prayers and invocations leaving the worldly activities) in the mosques. These are the limits (set) by Allah, so approach them not. Thus does Allah make clear His Ayat (proofs, evidences, lessons, signs, revelations, verses, laws, legal and illegal things, Allah's set limits, orders, etc.) to mankind that they may become Al-Muttaqun."[1]

is the One Who said:

﴿فَمَن شَهِدَ مِنكُمُ ٱلشَّهْرَ فَلْيَصُمْهُ﴾

"So whoever of you sights (the crescent on the first night of) the month (of Ramadan, i.e. is present at his home), he must observe Saum (fasts) that month."[2]

So, what is necessitated by the evidence from the Qur'ân and the *Sunnah,* as well as scientific evidence, is to make a special judgement for each place regarding fasting and breaking the fast, and to link them on the base of the perceptible sign which Allâh has declared in His Book, and His Prophet, Muhammad ﷺ has declared in his *Sunnah,* and that is the sighting of the moon and the sighting of the sun or the dawn.

[1] *Al-Baqarah* 2:187
[2] *Al-Baqarah* 2:185

Q. 394. If a fasting person travels from one Islamic country to another and it was announced in the first country that the new crescent of Shawwal has been sighted, should he follow them and break his fast, bearing in mind that the new crescent of Shawwal has not yet been sighted in the second country?

A. If a person travels from one Islamic country to another, and the breaking of the fast in the country to which he has travelled was delayed, then he should remain (fasting) with them until they break their fast, because fasting is when the people fast and breaking the fast is when the people break their fast and (*'Eid*) *Al-Adha* (Sacrifice) is on the day when the people sacrifice their animals, even if it means that he increases a day or more. It is the same as if he travelled to a country where the sunset is late for his usual day might be lengthened by two or three hours, or more if he travelled to another country. The new crescent has not been seen there, and the Prophet ﷺ ordered us to not fast unless we see the new crescent, and he also said:

«أَفْطِرُوا لِرُؤْيَتِهِ»

"Break your fast when you see it."

As for the opposite, such as when he travels from a country in which confirmation of the start of the month is delayed to a country in which the start of the month has been confirmed, then he should break his fast with them and make up for what he has missed of Ramadan later: If he missed a day, he must make up for a day and if he missed two days, he must make up for two days.

We say that he makes it up in the second case, because it is not possible for the month to be less than twenty-nine days, nor for it to be more than thirty days. And we say to him: Break your fast, even if you have not completed twenty-nine days, because the new crescent has been seen, and once it has been seen, you

must break your fast. And since you have fasted less than twenty-nine, because it is not possible for the month to be less than twenty-nine, so you must complete twenty-nine days, as opposed to the first situation, for you should not break your fast until the new crescent has been seen, and if it has not been seen, then you are still in Ramadan. So, how can you break your fast, for you must fast, even if the month was increased for you, it is only like the increase in the hours of the day.

Q. 395. What is Your Eminence's opinion regarding a person whose work is strenuous and it is difficult for him to fast, is it permissible for him to break his fast?

A. It is my opinion in this matter that for him to break his fast due to work is unlawful, and it is not permissible. If it is not possible for him to reconcile his work with fasting, then he should take off from work during Ramadan, so that it is easy for him to fast in Ramadan. The fast of Ramadan is one of the pillars of Islam and it is not possible to forsake it.

Q. 396. A young girl had her menstrual period and she was fasting during the days of menstruation due to ignorance; what is incumbent upon her?

A. She must make up for the days which she fasted while she was menstruating, because fasting on the days of menstruation is not accepted, and it is invalid, even if she was ignorant, and there is no limit to the time for making up missed fasts.

And there is another question opposite to this one: A woman whose period came to her when she was young and she was embarrassed to tell her family, so she was not fasting. It is incumbent upon this young girl to make up for the month which she did not fast, because when a girl begins to menstruate, she becomes legally responsible, since menstruation is one of the signs of reaching maturity.

Q. 397. A man abandoned the fast of Ramadan in order to earn a livelihood for himself and the children under his care; what is the ruling?

A. If this man who abandoned fasting the month of Ramadan with the excuse that he was earning a living for himself and his children, did so due to misinterpretation believing that just as it is permissible for the sick person to break his fast, so, it is permissible for one who cannot earn his living without breaking his fast to do so, then he is guilty of misinterpretation, and he must make up for Ramadan if he is still alive, and if he is dead, it must be made up for him. If the one responsible for his affairs does not fast on his behalf, he must feed a destitute person for each day on his behalf.

But if he abandoned it due to some reason other than misinterpretation, then the most authoritative view from among the opinions of the scholars is that every act of worship has a stated time, and if a person deliberately removes it from its stated time without an excuse, it is not accepted from him. So all that he can do is to perform righteous deeds and many supererogatory acts of worship and seek forgiveness from Allâh. The evidence for this is the statement of the Prophet ﷺ in an authentic *Hadith*:

«مَنْ عَمِلَ عَمَلًا لَيْسَ عَلَيْهِ أَمْرُنَا فَهُوَ رَدٌّ»

"Whoever performed a deed which is not from this matter (i.e. this religion) of ours, he will have it rejected."[1]

And just as an act of worship may not be performed before its stated time, likewise, it may not be performed after its stated

[1] Reported by Al-Bukhari in the Book of Sales, in the Chapter: *An-Najsh* (Increasing the Price in Order to Cheat Someone) in a *Mu'allaq* form; and by Muslim in the Book of Judgements, in the Chapter: Invalidation of False Rulings and the Rejection of Innovated Matters (1718).

time. However, if there is some excuse, such as ignorance or forgetfulness, then the Prophet ﷺ said regarding forgetfulness:

«مَنْ نَامَ عَنْ صَلَاةٍ أَوْ نَسِيَهَا فَلْيُصَلِّهَا إِذَا ذَكَرَهَا، لَا كَفَّارَةَ لَهَا إِلَّا ذَلِكَ»

"Whoever slept through a prayer or forgot it, he should offer it as soon as he remembers it, and there is no atonement upon him except this."[1]

However, the case of ignorance requires a detailed explanation, and this is not the place for it.

Q. 398. What are the permissible excuses for breaking the fast?

A. The permissible excuses for breaking the fast are: Illness and travel, as mentioned in the Qur'ân. Among other excuses is that a woman is pregnant and she fears for herself or her child. Another excuse is that a woman is breast-feeding and she fears for herself or her breast-fed child if she fasts. Another excuse is that a person needs to break his fast in order to save the life of someone. For example, he finds a drowning person in the sea, or someone who is surrounded on all sides by fire, and he needs to break his fast in order to save him – in that case, he may break his fast and save him. Another such case would be if a person needed to break his fast in order to strengthen himself for *Jihad* in Allâh's Cause, that would also be a permissible cause for him to break his fast, because the Prophet ﷺ said to his Companions, may Allâh be pleased with them:

«إِنَّكُمْ مُصَبِّحُو عَدُوِّكُمْ، وَالْفِطْرُ أَقْوَى لَكُمْ فَأَفْطِرُوا»

"You will meet the enemy tomorrow morning, so breaking the fast

[1] Reported by Muslim in the Book of *Masjids*, in the Chapter: Making up for Missed Prayers (314).

will be stronger for you, so break your fast."[1]

So, if there is a permissible excuse for breaking the fast, and a person breaks his fast due to it, it is not necessary for him to fast for the remainder of that day. Therefore, if it transpired that a person had broken his fast in order to save a person's life, he should continue to eat and drink, even after saving him. This is because he broke his fast for a reason which permits him to break his fast, so it is not necessary for him to fast in that case, because the prohibition of breaking fast on that day has been removed due to the permissible cause for breaking the fast.

For this reason, we support the most authoritative opinion in this matter, which is that if a sick person became well during the day and he was not fasting, it is not necessary for him to fast, and if a traveller arrived during the day at his hometown and he was not fasting, it is not necessary for him to fast, and if a menstruating woman became clean during the day, it is not necessary for her to fast. This is because all of these people broke their fasts for legitimate reasons, and so on that day, there was no obligation upon them to fast, due to the lawful permission for breaking it at that time, so it is not necessary for them to fast.

This is as opposed to the case where it is confirmed that the month of Ramadan has begun during the day in that case, it is necessary to fast. The difference between the two cases is clear, because if the evidence appears (that Ramadan has begun) during the day, it has been confirmed that fasting on that day is obligatory for them, but they are excused for the time before the evidence became clear to them due to their ignorance of it. This is why, if they knew that this day was a day of Ramadan, it is obligatory for them to fast. But as for those other people whom

[1] Reported by Muslim in the Book of Fasting, in the Chapter: The Reward of One Who Breaks His Fast on a Journey if He Undertakes a Task (1120).

we have described, it is permissible for them to break their fast, even though they are aware (that it is Ramadan) and the difference between them is clear.

Q. 399. A man slept on the first night of Ramadan before it was confirmed that the month had begun, and he did not make the intention to fast at night, then after *Fajr* had begun, he came to know that the day was Ramadan. What should he do in a situation like this? Should he make up for that day?

A. Regarding this man who slept on the first night of Ramadan before it was confirmed that the month had begun, and he did not make the intention to fast, then awoke to find after *Fajr* had begun that the day was Ramadan; once he knew, it was incumbent upon him to fast and to make up for it, according to the majority of scholars. As far as I am aware, no one disputes this except Shaikhul-Islam Ibn Taimiyyah, may Allâh have mercy on him, for he said that the intention follows awareness, and this person was unaware (that it was Ramadan). Therefore he is excused, because he did not abandon the intention after he became aware of it, but was ignorant of it, and the ignorant person is excused, therefore, if he fasts from the time he knows about it, then his fast is valid, and he is not obliged to make up for it, according to this opinion.

As for the majority of scholars, they have said that he is obliged to fast and he is obliged to make up for that day, and they justified this by the fact that part of the day has passed by him in which he did not have the intention to fast. The opinion that is safer for him is to make up for that day.

Q. 400. If a person breaks his fast due to some excuse, and then the excuse is removed during the day, should he fast for the remainder of the day?

A. He is not obliged to fast. This is because it has been made lawful for this man to break his fast on this day based upon an evidence from the Islamic Law. The Islamic Law allows one who is compelled to take medication for example, to take it, but if he takes, he breaks his fast. Therefore the prohibition of the day does not apply to him, because it has been permitted for him to break his fast, but he is required to compensate for it, and for us to require him to fast without any benefit is legally incorrect. So as long as this man does not benefit from fasting, it is not incumbent upon him.

An example of this would be a man who sees someone drowning in the water and he says: If I drank, it would be possible for me to save him, and if I did not drink, it would not be possible for me to save him, so he drinks and then saves him and he eats and drinks for the remainder of the day. This man is not prohibited from eating and drinking on this day, since it has been made lawful for him not to fast in accordance with the Islamic Law. Therefore, he is not required to fast. For this reason, if there was a sick person, would we say to him: Do not eat unless you are hungry and do not drink unless you are thirsty? Meaning: Do not eat or drink except due to necessity. We would not say this to him, because it is permissible for the sick person to break his fast. So, every person who breaks his fast in Ramadan in accordance with some legal evidence is not obliged to fast, and vice versa. Whoever breaks his fast without an excuse, then he must fast, because it is not lawful for him to break his fast and he has transgressed the prohibition of that day without permission from the Islamic Law. So, we must compel him to fast the remainder of the day and to make up for it. And Allâh knows better.

Q. 401. A woman suffered from a blood clot, and the doctors prohibited her from fasting; what is the ruling?

A. Allâh, the Most High says:

﴿شَهْرُ رَمَضَانَ ٱلَّذِىٓ أُنزِلَ فِيهِ ٱلْقُرْءَانُ هُدًى لِّلنَّاسِ وَبَيِّنَٰتٍ مِّنَ
ٱلْهُدَىٰ وَٱلْفُرْقَانِ ۚ فَمَن شَهِدَ مِنكُمُ ٱلشَّهْرَ فَلْيَصُمْهُ ۖ وَمَن كَانَ مَرِيضًا أَوْ
عَلَىٰ سَفَرٍ فَعِدَّةٌ مِّنْ أَيَّامٍ أُخَرَ ۗ يُرِيدُ ٱللَّهُ بِكُمُ ٱلْيُسْرَ وَلَا يُرِيدُ بِكُمُ
ٱلْعُسْرَ﴾

"The month of Ramadan in which was revealed the Qur'an, a guidance for mankind and clear proofs for the guidance and the criterion (between right and wrong). So whoever of you sights (the crescent on the first night of) the month (of Ramadan, i.e. is present at his home), he must observe Saum (fasts) that month, and whoever is ill or on a journey, the same number [of days which one did not observe Saum (fasts) must be made up] from other days. Allah intends for you ease, and He does not want to make things difficult for you."[1]

If a person is ill and it is not expected that he will be cured of it, he must feed a destitute person for each day (of Ramadan). The manner of feeding them is to distribute food such as rice to them, and it is better if it is accompanied by some additional nourishment such as meat or something else. Or he may invite the destitute people to dinner or to lunch and feed them. This is the ruling for the sick person who is afflicted by an illness in which it not expected that he will be cured. This woman the questioner has mentioned falls into this category, so it is incumbent upon her to feed a destitute person for each day.

Q. 402. When and how are the prayer and fasting of the traveller performed?

A. The prayer of the traveller is two *Rak'ahs* from the time he leaves his hometown until he returns to it, according to the statement of 'Aishah, may Allâh be pleased with her: "When the prayer was first enjoined, they were two *Rak'ahs*. Later the

[1] *Al-Baqarah* 2:185

prayer on a journey was kept as it was but the prayers for residents were completed." In another version, it was said: 'the prayers for residents were increased.'[1]

Anas bin Malik, may Allâh be pleased with him, said: "We went out on a journey with the Prophet ﷺ from Al-Madinah to Makkah and he prayed two *Rak'ahs* for each four *Rak'ah* prayer until we returned to Al-Madinah."[2]

But if one is praying with an *Imam* who is offering the complete prayer, he must offer four *Rak'ahs*, whether he catches the prayer from the beginning, or he misses some of it. This is based on the generality of the saying of the Prophet ﷺ:

«إِذَا سَمِعْتُمُ الْإِقَامَةَ فَامْشُوا إِلَى الصَّلَاةِ وَعَلَيْكُمُ السَّكِينَةَ وَالْوَقَارَ، وَلَا تُسْرِعُوا، فَمَا أَدْرَكْتُمْ فَصَلُّوا، وَمَا فَاتَكُمْ فَأَتِمُّوا»

"When you hear the Iqamah, proceed to the prayer with calmness and tranquility, and do not make haste. And pray whatever you are able to pray and complete (whatever you have missed)."[3]

So the generality of his words:

«مَا أَدْرَكْتُمْ فَصَلُّوا، وَمَا فَاتَكُمْ فَأَتِمُّوا»

"And pray whatever you are able to pray and complete (whatever you have missed)."

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[1] Reported by Al-Bukhari in the Book of Shortening the Prayers, in the Chapter: One May Shorten His Prayers if He Leaves His Hometown (1090); and by Muslim in the Book of the Travellers' Prayers and Shortening Them, in the Chapter: The Travellers' Prayers and Shortening Them (685).

[2] Reported by Al-Bukhari in the Book of Shortening the Prayers, in the Chapter: What Has Been Said Regarding Shortening the Prayers (1081); and by Muslim in the Book of the Travellers' Prayers and Shortening Them, in the Chapter: The Travellers' Prayers and Shortening Them (693).

[3] Reported by Al-Bukhari in the Book of the *Athan*, in the Chapter: Do not Hurry to Prayer, but Proceed With Calmness and Solemnity (636).

includes the travellers who pray behind an *Imam* who is offering four *Rak'ahs* as well as others.

Ibn 'Abbas, may Allâh be pleased with him, was asked: "Why is it that the traveller offers two *Rak'ahs* if he prays alone, and four if he is led by a resident *Imam*?" And he said: "That is the *Sunnah*."

The requirement to pray in congregation is not lifted from the traveller, because Allâh, the Most High commanded it at the time of battle, saying:

﴿وَإِذَا كُنتَ فِيهِمْ فَأَقَمْتَ لَهُمُ ٱلصَّلَوٰةَ فَلْتَقُمْ طَآئِفَةٌ مِّنْهُم مَّعَكَ وَلْيَأْخُذُوٓا۟ أَسْلِحَتَهُمْ فَإِذَا سَجَدُوا۟ فَلْيَكُونُوا۟ مِن وَرَآئِكُمْ وَلْتَأْتِ طَآئِفَةٌ أُخْرَىٰ لَمْ يُصَلُّوا۟ فَلْيُصَلُّوا۟ مَعَكَ﴾

"When you (O Messenger Muhammad ﷺ) are among them, and lead them in As-Salat (the prayer), let one party of them stand up [in Salat (prayer)] with you taking their arms with them; when they finish their prostrations, let them take their positions in the rear and let the other party come up which have not yet prayed, and let them pray with you."[1]

Based upon this, if a traveller was in a town or country other than his own, he must attend the congregational prayers in the *Masjid* if he hears the call to prayer, unless he is far from the *Masjid* or he fears that he will lose his travelling companions. This is according to the generality of the evidences which prove the obligation of praying in congregation upon whoever hears the call to prayer or the *Iqamah*.

As for the voluntary offering of supererogatory prayers, the traveller prays all of the supererogatory prayers except the regular *Sunan of Zuhr, Maghrib* and *'Isha'*. He should perform *Witr*, the night prayer, the *Duha* prayer, the regular *Sunnah* of *Fajr* and other non-obligatory prayers besides the regular *Sunan*.

[1] *An-Nisa'* 4:102

As for combining the prayers, if he is en route, it is preferred for him to combine the *Zuhr* and the *'Asr* prayers and the *Maghrib* and *'Isha'* prayers, either by advancing the later prayer or delaying the earlier prayer, whichever is easier for him; and whatever is easier is better.

If he has stopped somewhere, then it is preferred that he does not combine the prayers, but if he does so, then there is no objection, because both of these have been authentically reported from the Messenger of Allâh ﷺ.

As for the fasting of the traveller in Ramadan, it is better to fast, but if he breaks his fast, there is no objection. He must make up for the number of days during which he did not fast unless it is easier for him to break his fast, in which case, breaking the fast is better, because Allâh loves that the licenses which He gives be acted upon, and all praise and thanks are due to Allâh, the Lord of the worlds.

Q. 403. What is the ruling on the fasting of a traveller when it is difficult for him?

A. If he feels that it may be difficult for him to fast, then it is disliked for him to fast, because the Prophet ﷺ saw a man being shaded while the people were crowding around him, and he said:

«مَا هَذَا؟»

"What is this?."

They said: "He is fasting." He said:

«لَيْسَ مِنَ الْبِرِّ الصِّيَامُ فِي السَّفَرِ»

"It is not righteousness to fast while on a journey."[1]

[1] Reported by Al-Bukhari in the Book of Fasting, in the Chapter: The Statement of the Prophet ﷺ to the One Who Was Shaded and Upon

However, if the difficulty is severe, then it is an obligation upon him to break his fast. When the people complained to the Messenger ﷺ that fasting had become difficult for them, he broke his fast, then he was told that some of the people were fasting and he said:

«أُولَئِكَ الْعُصَاةُ، أُولَئِكَ الْعُصَاةُ»

"Those are the disobedient ones, those are the disobedient ones."[1]

As for one who finds no difficulty in fasting, it is better for him to fast, in order to follow the example of the Messenger ﷺ, since he used to fast. Abu Darda', may Allâh be pleased with him, said: "We were with the Messenger of Allâh ﷺ on a journey in the month of Ramadan and the weather was extremely hot, and none of us were fasting except the Messenger of Allâh ﷺ and 'Abdullah bin Rawahah."[2]

Q. 404. What is the ruling on the fasting of the traveller, bearing in mind that it is not difficult for the fasting person in the present day, due to the availability of modern means of transport?

A. The traveller may fast, and he may break his fast, according to the Words of Allâh, the Most High:

Whom the Heat Was Oppressive: It is not righteousness to fast whilst on a journey. (1946); and by Muslim in the Book of Fasting, in the Chapter: The Permissibility of Fasting and Breaking the Fast During the Month of Ramadan for the Traveller Without Disobedience (1115).

[1] Reported by Muslim in the Book of Fasting, in the Chapter: The Permissibility of Fasting and Breaking the Fast During the Month of Ramadan for the Traveller Without Disobedience.

[2] Reported by Al-Bukhari in the Book of Fasting, in Chapter 35 (1945); and by Muslim in the Book of Fasting, in the Chapter: The Choice Between Fasting and Breaking the Fast on a Journey (1122).

﴿وَمَن كَانَ مَرِيضًا أَوْ عَلَىٰ سَفَرٍ فَعِدَّةٌ مِّنْ أَيَّامٍ أُخَرَ﴾

"and whoever is ill or on a journey, the same number [of days which one did not observe Saum (fasts) must be made up] from other days."[1]

The Companions, may Allâh be pleased with them, went on a journey with the Prophet ﷺ and some of them were fasting and some of them were not and neither group rebuked the other.

The Prophet ﷺ used to fast when travelling; Abu Darda', may Allâh be pleased with him, said: "We were with the Prophet ﷺ on a journey and the weather was extremely hot, and none of us were fasting except the Messenger of Allâh ﷺ and 'Abdullah bin Rawahah."[2]

The rule regarding the traveller is that he may choose between fasting or breaking his fast. If the fasting is not difficult for him, then it is better to fast, because there are three benefits in it:

1. Following the example of the Messenger of Allâh ﷺ.

2. Ease; the ease of fasting for a person, because when a person fasts with other people, it is easier for him.

3. Prompt fulfillment of one's obligations.

So if it is difficult for a person to fast, then he should not fast, and it is not righteousness to fast on a journey in these circumstances. The Messenger ﷺ saw a man being shaded while the people were crowding around him, and he said:

«مَا هَذَا؟»

"What is this?."

They said: "He is fasting." He said:

«لَيْسَ مِنَ الْبِرِّ الصِّيَامُ فِي السَّفَرِ»

[1] *Al-Baqarah* 2:185

[2] The reference for this *Hadith* was mentioned in the previous answer.

"It is not righteousness to fast while on a journey."[1]

This general rule is applied to anyone in a situation similar to that of the man who found it difficult to fast.

Based upon this, we say: Travel in the present day is easy as the questioner said and it is not difficult to fast while on a journey in most cases, so if it is not difficult to fast, then it is better to fast.

Q. 405. If a traveller arrives in Makkah and he is fasting, should he break his fast in order to gain strength to perform *'Umrah*?

A. We say that the Prophet ﷺ entered Makkah on the twentieth of Ramadan in the year of the conquest of Makkah and he was not fasting, and he led the people of Makkah in a two *Rak'ah* prayer and he said to them:

«يَا أَهْلَ مَكَّةَ أَتِمُّوا، فَإِنَّا قَوْمٌ سَفْرٌ»

"Oh, people of Makkah! Complete the prayer (i.e. pray four Rak'ahs), for we are travellers."[2]

It has been confirmed in *Sahih Al-Bukhari* that the Prophet ﷺ did not fast for the remainder of the month, because he was a traveller, so the journey of a person performing *'Umrah* does not end with his arrival in Makkah, and he is not obliged to fast if he arrives while not fasting.

Some people might continue to fast even while they are travelling, thinking that to fast while travelling in the present day is not difficult for people. So, they will continue fasting even while travelling, then they arrive in Makkah and feel tired, and so they say to themselves: Should I continue my fast and delay the *'Umrah* until after I have broken my fast, or should I

[1] The reference for this *Hadith* was mentioned in the previous answer.

[2] Reported by Al-Bukhari in the Book of Battles, in the Chapter: The Battle of the Conquest in Ramadan (4275).

break my fast in order to perform the *'Umrah* immediately upon arrival in Makkah. We would say to them in these circumstances: It is better for you to break your fast in order to perform *'Umrah* immediately upon arrival in Makkah, in order to perform this rite. Because when the Prophet ﷺ entered Makkah and he was performing his religious rites, he would go straight to the *Masjid*, even making his camel kneel outside the *Masjid*, entering it in order to perform the rites, for he was so preoccupied with it. Therefore, for those who perform *'Umrah*, breaking your fast in order to perform *'Umrah* briskly is better than remaining in a state of fasting, then performing your *'Umrah* after you have broken your fast at night.

It is confirmed from the Prophet ﷺ that he was fasting on his journey to the battle for the conquest of Makkah, and the people came to him and said: "Oh, Messenger of Allâh! Fasting has become difficult for the people and they are waiting to see what you will do." And this was after *'Asr*, but the Prophet ﷺ called for water and drank it while the people were watching.[1] So, the Prophet ﷺ broke his fast during his journey, indeed, he broke his fast at the end of the day, and all of this was in order to make it clear to his people that this was permissible. Fasting while travelling, as some do, in spite of difficulty, contradicts the *Sunnah*; of this there is no doubt. To this applies the statement of the Prophet ﷺ:

«لَيْسَ مِنَ الْبِرِّ الصِّيَامُ فِي السَّفَرِ»

"It is not righteousness to fast while on a journey."[2]

Q. 406. Is it permissible for the breast-feeding woman to break her fast? And when should she make up for it?

[1] Reported by Muslim in the Book of Fasting, in the Chapter: The Permissibility of Fasting or Breaking the Fast During the Month of Ramadan for the Traveller Without Disobedience (1114).

[2] The reference for this *Hadith* was mentioned under no. 403.

And may she feed (poor people instead of fasting)?

A. If the breast-feeding woman fears that fasting will harm her child by reducing the milk, then she may break her fast, but she must make up for it later, because she is similar to a sick person, about whom Allâh says:

Allâh, the Most High says:

﴿وَمَن كَانَ مَرِيضًا أَوْ عَلَىٰ سَفَرٍ فَعِدَّةٌ مِّنْ أَيَّامٍ أُخَرَ يُرِيدُ ٱللَّهُ بِكُمُ ٱلْيُسْرَ وَلَا يُرِيدُ بِكُمُ ٱلْعُسْرَ﴾

"...and whoever is ill or on a journey, the same number [of days which one did not observe Saum (fasts) must be made up] from other days. Allah intends for you ease, and He does not want to make things difficult for you."[1]

Then once the danger is past, she may make it up for, either during the winter, when the days are shorter and the weather is cooler, or, if she is unable to do it in the winter, then in the following year. But as for feeding (poor people), it is not permissible except in a situation where the thing which prevents her from fasting or the excuse for not fasting is continuous, and it is not expected that it will be removed; in these circumstances, she may feed (poor people) instead of fasting.

Q. 407. If a fasting person spends most of the day resting due to severe hunger and thirst, does that affect the validity of the fast?

A. This does not affect the validity of the fast, and there is more reward in it, according to the statement of the Prophet ﷺ to 'Aishah, may Allâh be pleased with her:

«أَجْرُكِ عَلَى قَدْرِ نَصْبِكِ»

[1] *Al-Baqarah* 2:185

"Your reward is in accordance with your hardship."[1]

So, the more difficulty increases for a person in performing acts of obedience to Allâh, the greater is his reward. He is also allowed to do whatever makes fasting easier for him, such as cooling himself with water and sitting in a cold place.

Q. 408. Does every day on which the fast is performed in Ramadan require an intention, or is it sufficient to make one intention for the whole month?

A. It is sufficient in Ramadan to make one intention at the beginning of it, because even if the fasting person did not make an intention for every day the night before, that was his intention at the start of the month. But if the fasting is broken during the month due to a journey, or illness or the like, he must make a fresh intention, because he has broken it by abandoning the fast due to travel, illness or the like.

Q. 409. Does a firm intention to break the fast, without eating or drinking cause the fasting person to break his fast?

A. It is well known that fasting is a combination of intention and abandoning, for a person makes the intention by fasting to draw near to Allâh, the Almighty, the All-Powerful by abandoning the things which break the fast. So, if he makes a firm intention to stop it, then the fasting is invalidated; but if it is in Ramadan, he must refrain from eating, drinking and sexual intercourse until the sun sets, because every person who breaks his fast in Ramadan without an excuse is obliged to continue fasting and to make up for it.

[1] Reported by Al-Bukhari in the Book of *'Umrah*, in the Chapter: The Reward of *'Umrah* is in Accordance With the Difficulty (1787); and by Muslim in the Book of *Hajj*, in the Chapter: The *Ihram* of the Woman With Postnatal Bleeding (1211) (126).

However, if he did not make a firm intention, but was undecided, then it is the subject of disagreement among the scholars: Some of them say that his fast is invalidated, because indecisiveness invalidates a firm intention. Others hold that it is not invalidated, because the basic principle is that the intention remains valid until such time as he makes a firm intention to break it and end it and this is the more correct view in my opinion as it is more weighty. And Allâh knows better.

Q. 410. What is the ruling on a fasting person who eats due to forgetfulness? And what is the obligation upon one who observes him?

A. Whoever ate or drank forgetfully while he was fasting, his fast is valid. But if he remembers it, he must stop, even if the morsel of food or the drink was in his mouth, he must expel it.

The evidence that his fasting is complete is the statement of the Prophet ﷺ:

«مَنْ نَسِيَ وَهُوَ صَائِمٌ فَأَكَلَ أَوْ شَرِبَ فَلْيُتِمَّ صَوْمَهُ، فَإِنَّمَا أَطْعَمَهُ اللهُ وَسَقَاهُ»

"Whoever forgot while he was fasting and ate or drank, he should complete his fast, because it was none other than Allâh Who fed him and gave him to drink."[1]

Also a person is not held accountable if he does something forbidden due to forgetfulness, according to the Words of Allâh, the Most High:

﴿رَبَّنَا لَا تُؤَاخِذْنَآ إِن نَّسِينَآ أَوْ أَخْطَأْنَا﴾

"Our Lord! Punish us not if we forget or fall into error."[2]

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[1] Reported by Al-Bukhari in the Book of Fasting, in the Chapter: If a Person Eats or Drinks Forgetfully (1933); and by Muslim in the Book of Fasting in the Chapter: The Eating, Drinking of One Who Forgets (1155).

[2] *Al-Baqarah* 2:286

And Allâh, the Most High says:

«قَدْ فَعَلْتُ»

"I have done so."

As for one who sees him, it is incumbent upon him to remind him, because this is part of changing that which is evil, and the Prophet ﷺ said:

«مَنْ رَأَى مِنْكُمْ مُنْكَرًا فَلْيُغَيِّرْهُ بِيَدِهِ، فَإِنْ لَمْ يَسْتَطِعْ فَبِلِسَانِهِ، فَإِنْ لَمْ يَسْتَطِعْ فَبِقَلْبِهِ»

"If any of you sees an evil, he should change it by his hand, and if he is unable to do that, then by his tongue, and if he unable to do that, then (he should abhor it) in his heart."[1]

There is no doubt that eating and drinking by a fasting person at the time when he is supposed to be fasting is something wrong, but he is pardoned for it when it is due to forgetfulness, since he is not punished for it. But as for one who sees him, there is no excuse for him not to censure him for it.

Q. 411. What is the ruling on a fasting person using kohl?

A. There is no objection to a fasting person using kohl, or placing drops in his eyes, or placing drops in his nose; and even if he tastes it in his throat, it does not break his fast, because it is not food or drink; and it does not bear the description of food and drink. There is only evidence for the prohibition of food and drink, and that which does not bear their description is not included in them. What I have mentioned is the chosen view of Shaikhul-Islam Ibn Taimiyyah, may Allâh have mercy on him, and it is the correct opinion. However, if he placed drops in his nose and they entered his stomach, then his fast is broken if he

[1] Reported by Muslim in the Book of *Faith*, in the Chapter: That Prohibiting Evil is a Part of *Eeman* (49).

did it intentionally, according to the words of the Prophet ﷺ:

«بَالِغْ فِي الِاسْتِنْشَاقِ إِلَّا أَنْ تَكُونَ صَائِمًا»

"Exaggerate in sniffing water into the nose (i.e. during ablution) except when you are fasting."[1]

Q. 412. What is the ruling on a fasting person using the *Siwak*[2] and perfume?

A. The correct view is that it is a *Sunnah* for the fasting person to use the *Siwak* both at the beginning of the day and at the end of it, based upon the generality of the statement of the Prophet ﷺ:

«السِّوَاكُ مَطْهَرَةٌ لِلْفَمِ مَرْضَاةٌ لِلرَّبِّ»

"The Siwak purifies the mouth and it is pleasing to the Lord."[3]

He ﷺ also said:

«لَوْلَا أَنْ أَشُقَّ عَلَى أُمَّتِي لَأَمَرْتُهُمْ بِالسِّوَاكِ مَعَ كُلِّ صَلَاةٍ»

"If it were not that it would be a burden upon my people, I would have ordered them to use the Siwak before every prayer."[4]

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[1] Reported by Abu Dawud in the Book of *Istinthar* (Blowing Water Out of the Nose) (142); by At-Tirmithi in the Book of Purification, in the Chapter: What Has Been Said Regarding Washing Between the Toes (38); by An-Nasa'i in the Book of Purification, in the Chapter: *Istinshaq* (Sniffing Water into the Nose) to the Highest Degree (87); and by Ibn Majah in the Book of Purification and its *Sunan*, in the Chapter: Washing Between the Fingers and Toes (448).

[2] *Siwak*: A twig taken from the roots of the arak tree and used as a toothbrush.

[3] Reported by Al-Bukhari in the Book of Fasting, in the Chapter: The Moist and Dry *Siwak* for the Fasting Person.

[4] Reported by Al-Bukhari in the Book of Fasting, in the Chapter: The Moist and Dry *Siwak* for the Fasting Person and by Muslim in the Book of Purification, in the Chapter: The *Siwak* (252).

As for perfume, likewise, it is permissible for the fasting person at the start of the day and at the end of it, whether the perfume is incense, oil or anything else. But it is not permissible for him to sniff the incense, because incense has particles which can be felt and seen, and if he sniffs it, it will rise up into his nose and then to his stomach, which is why the Prophet ﷺ said to Laqit bin Sabirah, may Allâh be pleased with him:

«بَالِغْ فِي الِاسْتِنْشَاقِ إِلَّا أَنْ تَكُونَ صَائِمًا»

"Exaggerate in sniffing water into the nose (i.e. during ablution) except when you are fasting."[1]

Q. 413. What are the things that nullify the fast?

A. The things which nullify fasting are fast-breakers and they are:

1. Sexual intercourse.
2. Eating.
3. Drinking.
4. The emission of *Mani* (semen) due to desire.
5. That which bears the characteristics of food and drink.
6. Intentional vomiting.
7. The emission of blood due to cupping.
8. The emission of menstrual and postpartum blood.

As for eating, drinking and sexual intercourse, the evidence for it is in the Words of Allâh, the Most High:

﴿فَٱلْـَٔـٰنَ بَـٰشِرُوهُنَّ وَٱبْتَغُوا۟ مَا كَتَبَ ٱللَّهُ لَكُمْ ۚ وَكُلُوا۟ وَٱشْرَبُوا۟ حَتَّىٰ يَتَبَيَّنَ لَكُمُ ٱلْخَيْطُ ٱلْأَبْيَضُ مِنَ ٱلْخَيْطِ ٱلْأَسْوَدِ مِنَ ٱلْفَجْرِ ۖ ثُمَّ أَتِمُّوا۟ ٱلصِّيَامَ إِلَى ٱلَّيْلِ﴾

"So now have sexual relations with them and seek that which

[1] The reference for this *Hadith* was mentioned in the previous answer.

Allah has ordained for you (offspring), and eat and drink until the white thread (light) of dawn appears to you distinct from the black thread (darkness of night), then complete your Saum (fast) till the nightfall."[1]

As for the emission of *Mani* due to desire, the evidence for it is in the Words of Allâh, the Most High in the *Hadith Qudsi* regarding the fasting person:

«يَدَعُ طَعَامَهُ وَشَرَابَهُ وَشَهْوَتَهُ مِنْ أَجْلِي»

"He abandons his food, his drink and his desire for My sake."[2]

The emission of *Mani* is desire, according to the words of the Prophet ﷺ:

«فِي بُضْعِ أَحَدِكُمْ صَدَقَةٌ»

"In man's sexual intercourse (with his wife) there is a Sadaqah."

They said: "Oh, Messenger of Allâh! Is there a reward for him among us who satisfies his sexual desire?" He said:

«أَرَأَيْتُمْ لَوْ وَضَعَهَا فِي الْحَرَامِ - أَيْ كَانَ عَلَيْهِ وِزْرٌ - فَكَذَلِكَ إِذَا وَضَعَهَا فِي الْحَلَالِ كَانَ لَهُ أَجْرٌ»

"Tell me, if he were to satisfy it in some forbidden way, would it not be a sin on his part? Similarly, if he were to satisfy it in a lawful way, he should have a reward."[3]

That which is emitted is naught other than ejaculated semen, which is why the most correct opinion is that *Mathi* (prostate fluid) does not invalidate fasting, even if it is emitted due to desire and without sexual intercourse taking place.

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[1] *Al-Baqarah* 2:187

[2] Reported by Ibn Majah in the Book of Fasting, in the Chapter: What Has Been Said Regarding the Virtue of Fasting (1638).

[3] Reported by Muslim in the Book of *Zakah*, in the Chapter: Declaration of the Fact That the Word *Sadaqah* Includes all Manner of Good Deeds (1006).

The fifth thing which invalidates the fast is that which bears the characteristics of food and drink: That is, nutritional injections, by which means one is able to do without food and drink. This is because, even though they are not food and drink, they bear the traits of food and drink, since by means of them one is able to do without food and drink; and that which bears the traits of a thing carries the same ruling as that thing. For this reason, the survival of the body depends on taking these injections, meaning that the body remains nourished by these injections, even though it is not being nourished by other means. As for injections which do not nourish and do not take the place of food and drink, they do not break the fast, whether a person is given them intravenously, intramuscularly or via any other part of his body.

The sixth thing which invalidates the fast is intentional vomiting, i.e. that a person expels what is in his stomach, so that it passes out through his mouth.

This is based on the *Hadith* of Abu Hurairah, may Allâh be pleased with him, in which it is stated that the Prophet ﷺ said:

«مَنِ اسْتَقَاءَ عَمْدًا فَلْيَقْضِ، وَمَنْ ذَرَعَهُ الْقَيْءُ فَلَا قَضَاءَ عَلَيْهِ»

"Whoever vomited intentionally must make up for (the fast) and whoever was overcome by vomiting is not obliged to make up for it."[1]

The wisdom behind this is that if he vomits, he empties his stomach of food and his body requires that what has been expelled be replaced. This is why we say that if the fast was an obligatory one, then it is not permissible for a person to induce vomiting, because if he does so, he invalidates the obligatory fast.

[1] Reported by Abu Dawud in the Book of Fasting, in the Chapter: The Fasting Person Who Vomits Intentionally (2380); and by At-Tirmithi in the Book of Fasting, in the Chapter: What Has Been Said Regarding Intentional Vomiting (720).

As for the seventh thing which invalidates the fast, it is the issue of blood by means of cupping, based upon the words of the Prophet ﷺ:

«أَفْطَرَ الْحَاجِمُ وَالْمَحْجُومُ»

"The cupper and the one who is cupped have broken their fast."[1]

As for the eighth thing which invalidates the fast, it is the flow of blood due to menstruation or postpartum bleeding, according to the words of the Prophet ﷺ regarding a woman:

«أَلَيْسَ إِذَا حَاضَتْ لَمْ تُصَلِّ وَلَمْ تَصُمْ»

"Is it not the case that if she is menstruating, she neither fasts nor prays?"[2]

The scholars are in complete agreement that the fast of a menstruating woman is not valid, and the same is the case with the woman who experiences postpartum bleeding.

These things which break the fast are invalidators of the fast, and they do not invalidate it unless three conditions are fulfilled and they are:

1. Knowledge.
2. Remembering.
3. Intention.

So, a person's fast is not invalidated by these invalidating factors, unless these three conditions are fulfilled.

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[1] Reported by Al-Bukhari in a *Mu'allaq* form in the Book of Fasting, in the Chapter: Cupping and Forced Vomiting by a Fasting Person; and by At-Tirmithi in the Book of Fasting, in the Chapter: The Hatefulness of Cupping for the Fasting Person (774).

[2] Reported by Al-Bukhari in the Book of Menstruation, in the Chapter: The Menstruating Woman Leaving the Fast (304); and by Muslim in the Book of *Eeman*, in the Chapter: Clarification of Lack of *Faith* Due to Lack of Acts of Obedience (79).

1. That he knows the juristic ruling and he knows the situation, i.e. the time. If he is ignorant of the juristic ruling or the time, then his fast is valid, according to the Words of Allâh, the Most High:

﴿رَبَّنَا لَا تُؤَاخِذْنَآ إِن نَّسِينَآ أَوْ أَخْطَأْنَا﴾

"Our Lord! Punish us not if we forget or fall into error."[1]

Allâh, the Most High said:

«قَدْ فَعَلْتُ»

"I have done so."

Allâh also said:

﴿وَلَيْسَ عَلَيْكُمْ جُنَاحٌ فِيمَآ أَخْطَأْتُم بِهِۦ وَلَٰكِن مَّا تَعَمَّدَتْ قُلُوبُكُمْ﴾

"And there is no sin on you concerning that in which you made a mistake, except in regard to what your hearts deliberately intend."[2]

These two evidences are general.

And (his fast is valid) according to specific evidences confirmed in the *Sunnah* regarding fasting: In *Sahih Al-Bukhari* it is reported in the *Hadith* of 'Adi bin Hatim, may Allâh be pleased with him, that he fasted and placed two *'Iqals* under his pillow and an *'Iqal* is a rope which is used to tether the leg of a camel one of them was black and the other was white. He would eat and drink until the white one was distinct from the black one, after which he fasted. Then in the morning, he went to the Prophet ﷺ and informed him of this and the Prophet ﷺ explained to him that the meaning of the white thread and the black thread in the Verse are not the well known threads. Rather what is meant by the white thread is the whiteness of the daylight and the black thread is the blackness of the night. However, the Prophet ﷺ did not command him to make up for

[1] *Al-Baqarah* 2:286

[2] *Al-Ahzab* 33:5

the fast because he was ignorant of the ruling, believing that this was the meaning of the Noble Verse.[1]

As for ignorance of the time, it is reported in *Sahih Al-Bukhari* on the authority of Asma' bint Abu Bakr, may Allâh be pleased with them, that she said: "We broke our fast during the time of the Prophet ﷺ on a cloudy day and then the sun came out."[2]

The Prophet ﷺ did not order them to make up for the fast; and if making up for it was obligatory, he would have ordered them to do so, and if he had ordered them to do so, it would have been transmitted to the people, according to the Words of Allâh, the Most High:

﴿إِنَّا نَحْنُ نَزَّلْنَا ٱلذِّكْرَ وَإِنَّا لَهُۥ لَحَٰفِظُونَ﴾

"Verily, We, it is We Who have sent down the Dhikr (i.e. the Qur'an) and surely We will guard it (from corruption)."[3]

Since it has not been transmitted to us in spite of the great need for its transmission – it is known that it is not obligatory. An example of this would be if a person got up from sleep, thinking that it was night, and he ate and drank, then it became clear to him that he ate and drank after the start of the dawn. He would not be required to make up for it, because he was ignorant of it.

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[1] Reported by Al-Bukhari in the Book of Fasting, in the Chapter: The Words of Allah, the Most High:

﴿وَكُلُوا۟ وَٱشْرَبُوا۟ حَتَّىٰ يَتَبَيَّنَ لَكُمُ ٱلْخَيْطُ ٱلْأَبْيَضُ مِنَ ٱلْخَيْطِ ٱلْأَسْوَدِ مِنَ ٱلْفَجْرِ﴾

"and eat and drink until the white thread (light) of dawn appears to you distinct from the black thread." (1916) and by Muslim in the Book of Fasting, in the Chapter: Explanation That Fasting Begins With the Dawn (1090).

[2] Reported by Al-Bukhari in the Book of Fasting, in the Chapter: If a Person Broke His Fast During Ramadan and Then the Sun Came Out (1959).

[3] *Al-Hijr* 15:9

2. It is that a person remembers, and the opposite of remembering is forgetting. So, if a person ate or drank forgetfully, then his fast is valid, and he does not have to make up for it, according to the Words of Allâh, the Most High:

﴿رَبَّنَا لَا تُؤَاخِذْنَآ إِن نَّسِينَآ أَوْ أَخْطَأْنَا﴾

"Our Lord! Punish us not if we forget or fall into error."[1]

Allâh, the Most High said:

«قَدْ فَعَلْتُ»

"I have done so."

According to the *Hadith* of Abu Hurairah, may Allâh be pleased with him, the Messenger of Allâh ﷺ said:

«مَنْ نَسِيَ وَهُوَ صَائِمٌ فَأَكَلَ أَوْ شَرِبَ فَلْيُتِمَّ صَوْمَهُ، فَإِنَّمَا أَطْعَمَهُ اللهُ وَسَقَاهُ»

"Whoever forgot while he was fasting and ate or drank, he should complete his fast, for it was none other than Allâh Who fed him and gave him to drink."[2]

3. The intention, which is that a person chooses to do this thing which invalidates the fast; and if he did not choose to do it, then his fast is valid, whether he was forced to do it or not. This is based upon the Words of Allâh, the Most High regarding one who is coerced:

﴿مَن كَفَرَ بِٱللَّهِ مِنۢ بَعْدِ إِيمَٰنِهِۦٓ إِلَّا مَنْ أُكْرِهَ وَقَلْبُهُۥ مُطْمَئِنٌّۢ بِٱلْإِيمَٰنِ وَلَٰكِن مَّن شَرَحَ بِٱلْكُفْرِ صَدْرًا فَعَلَيْهِمْ غَضَبٌ مِّنَ ٱللَّهِ وَلَهُمْ عَذَابٌ عَظِيمٌ﴾

"Whoever disbelieved in Allah after his belief, except him who is

[1] *Al-Baqarah* 2:286

[2] The reference for this *Hadith* was mentioned previously under no. 410.

forced thereto and whose heart is at rest with faith; but such as open their breasts to disbelief, on them is wrath from Allah, and theirs will be a great torment."[1]

If the ruling of disbelief is remitted by reason of coercion, then anything less than that has more right to be pardoned. Additionally, there is the *Hadith* in which the Prophet ﷺ said:

«إِنَّ اللهَ رَفَعَ عَنْ أُمَّتِي الْخَطَأَ، وَالنِّسْيَانَ، وَمَا اسْتُكْرِهُوا عَلَيْهِ»

"Allâh has pardoned my people for their mistakes, their forgetfulness and the things which they are forced to do."

Based upon this, if dust flew into the nose of a fasting person and he tasted it in his throat, and it descended to his stomach, it would not cause his fast to be broken, because he did not intend it. Similarly, if he was forced to break his fast and he did so due to this coercion, then his fast is valid, because he did not choose to do it. Likewise, if he had a nocturnal emission while he was sleeping, his fast is valid, because the sleeper does not have any intention. By the same token, if a man forced his wife to have sexual intercourse while she was fasting, then her fast would be valid, because she did not choose to do it.

Here there is a matter which must be understood, which is that if a man breaks his fast by having sexual intercourse during the daylight hours in Ramadan when fasting is incumbent upon him, there are five things consequent to his act of sexual intercourse:

The First: The sin.

The Second: The obligation to fast for the remainder of the day.

The Third: The invalidity of his fast.

The Fourth: The obligation to make up for it.

The Fifth: The atonement.

[1] *An-Nahl* 16:106

There is no difference whether he was aware of what is incumbent upon him regarding this act of sexual intercourse, or whether he was ignorant of it. This means that if a man has sexual intercourse during the fast of Ramadan when fasting is compulsory for him, but he is unaware that there is an atonement incumbent upon him, then the aforementioned rulings of the act of sexual intercourse are applied to him, because he intended to invalidate his fast, and that which invalidates the fast necessitates that the rulings be applied to him. In fact, in the *Hadith* of Abu Hurairah, may Allâh be pleased with him, it is mentioned that a man came to the Prophet ﷺ and said: "Oh, Messenger of Allâh! I am ruined." He said:

«مَا أَهْلَكَكَ؟»

"And what has ruined you?."

He replied: "I had sexual intercourse with my wife in Ramadan while I was fasting."[1]

So, the Prophet ﷺ ordered him to atone for it, even though the man did not know whether or not he was obliged to atone for it. And in our saying: When fasting is compulsory for him, is out of caution against the situation of a fasting person having sexual intercourse with his wife in Ramadan while he was travelling for example. In that case, he would not be obliged to atone for it, such as if a man was travelling with his wife in Ramadan and they were both fasting, then he had sexual intercourse with his wife, there is no atonement incumbent upon him. This is because if a traveller begins to fast, it is not incumbent upon him to complete it: If he wishes, he may complete it and if he wishes, he may break his fast and make up for it later.

[1] Reported by Al-Bukhari in the Book of Fasting, in the Chapter: If a Person Has Sexual Intercourse in Ramadan (1936); and by Muslim in the Book of Fasting, in the Chapter: The Severity of the Prohibition of Sexual Intercourse During the Daylight Hours by a Fasting Person (1111).

Q. 414. What is the ruling on a fasting person using an inhaler for breathing problems, and does it break the fast?

A. This spray is vaporized and does not reach the stomach, so in that case, we say that there is no objection to using it when you are fasting, and it will not cause you to break your fast, because as we have said, none of its particles enter the stomach. Since it is something that is diffused and vaporized, and it disappears, then none of it reaches the stomach, therefore it is permissible for you to use it when you are fasting and the fast is not invalidated by it.

Q. 415. Does vomiting break the fast?

A. If a person vomits on purpose, then it breaks his fast, but if he did not do it on purpose, then it does not break his fast.

The evidence for this is the *Hadith* of Abu Hurairah, may Allâh be pleased with him, in which it is reported that the Prophet ﷺ said:

«مَنْ ذَرَعَهُ الْقَيْءُ فَلَا قَضَاءَ عَلَيْهِ، وَمَنِ اسْتَقَاءَ عَمْدًا فَلْيَقْضِ»

"Whoever was overcome by vomiting is not obliged to make up for it and whoever deliberately vomited must make up for (the fast)."[1]

So, if you were overcome by vomiting, your fast is not broken. If a person felt that his stomach is convulsing and that he will vomit what is in it, we say to him: Do not prevent it and do not encourage it, but remain neutral. Do not induce vomiting and do not prevent it, because if you induce vomiting, you will break your fast, and if you prevent it, it will harm you, so leave it. If it comes out without any action on your part, then it will not harm you and you will not break your fast.

[1] The reference for this *Hadith* was mentioned previously under no. 413.

Q. 416. Does bleeding from the gum of the fasting person break his fast?

A. Bleeding from a person does not affect the fast, but he should try to avoid swallowing it as much as possible. Similarly, if his nose bleeds and he tries to avoid swallowing it, there is nothing incumbent upon him in this regard and he is not obliged to make up for it.

Q. 417. If a menstruating woman becomes clean before *Fajr*, and she makes *Ghusl* after it has started, what is the ruling on her fast?

A. Her fast is valid if she is positive that she became clean before the start of *Fajr*. The important thing is that she is certain that she was clean, because some women think that they have become clean and they have not. Because of this, the women used to come to 'Aishah, may Allâh be pleased with her, with a piece of cotton to show her the signs of having become cleansed of their menses, and she would say to them: "Do not be hasty, wait until you see the white discharge."[1]

So, a woman is obliged to be patient until she is positive that she has become clean, and once she has become clean, she should make the intention to fast, even if she did not perform *Ghusl* until after the start of *Fajr*; she is also obliged to observe the prayer. So, she should perform *Ghusl* quickly in order to offer the *Fajr* prayer at its stated time.

We have been informed that some women become clean after the start of *Fajr* or before the start of *Fajr*, but they delay performing *Ghusl* until after sunrise, with the excuse that they want to make a more complete, cleaner and purer *Ghusl*. This is

[1] Reported by Al-Bukhari in a *Mu'allaq* form, in the Book of Menstruation, in the Chapter: The Approach of Menstruation and the End of it.

a mistake, whether in the month of Ramadan or in any other month. Because it is an obligation upon her to make *Ghusl* quickly in order to offer the prayer at its stated time. She may restrict herself to the (minimum) obligatory *Ghusl* in order to perform the prayer, then if she wishes to increase her purification and cleansing after sunrise, there is no sin upon her. The menstruating woman is like one in a state of major ritual impurity, who did not perform *Ghusl* until the start of *Fajr*; there is no sin upon her, and her fast is valid. Likewise, if a man was in a state of ritual impurity, and he did not perform *Ghusl* for it until after the start of *Fajr*, there would be no sin upon him for that. It has been confirmed from the Prophet ﷺ that *Fajr* would begin while he was in a state of ritual impurity due to having sexual intercourse with his wife, and he would fast and perform *Ghusl* after the start of *Fajr*.[1] And Allâh knows better.

Q. 418. What is the ruling on a fasting person removing a molar tooth, does it break his fast?

A. The blood which comes out due to a molar tooth or the like being removed does not break the fast, because it does not have the same effect as cupping, therefore it does not cause one to break one's fast.

Q. 419. What is the ruling on a blood test for a fasting person, and does it break the fast?

A. The fasting person does not invalidate his fast due to the removal of blood for the purpose of a blood test, because the doctor needs to take blood from the sick person in order to do tests on it, so this does not break the fast. It is only a small

[1] Reported by Al-Bukhari in the Book of Fasting, in the Chapter: The *Ghusl* of the Fasting Person (1930); and by Muslim in the Book of Fasting, in the Chapter The Validity of the Fast of One Who is Still *Junub* at the Time of *Fajr* (1109).

amount of blood which does not affect the body in the same way cupping does, so it does not break the fast. The fundamental principle is that the fast remains valid, and we cannot make it invalid without some legal evidence, and there is no evidence that a fasting person breaks his fast by such a small amount of blood.

But as for taking a lot of blood from a fasting person for the purpose of giving a transfusion to another person who is in need of it for example, if a large quantity of blood was taken which has the same effect on his body as cupping, then his fast will be broken thereby.

Based upon this, if the fast is an obligatory one, then it is not permissible for a person to donate this large amount of blood to anyone, unless this person to whom blood is donated is in danger and it is not possible for him to wait until after sunset. This would be if the doctors have determined that the blood of this fasting person will benefit him and remove the harm from the patient. In these circumstances, there is no objection to him donating his blood, breaking his fast, and eating and drinking, so that his strength will return to him. He must also make up for the day in which he broke his fast. And Allâh knows best.

Q. 420. If a fasting person masturbates, does this break his fast? And is he required to atone for it?

A. If a fasting person masturbates and he ejaculates, then he has broken his fast and he is required to make up for the day on which he masturbated. There is no atonement incumbent upon him, because atonement is not required except for sexual intercourse, and he must repent for what he has done.

Q. 421. What is the ruling on a fasting person smelling perfume?

A. There is no objection to a fasting person smelling perfume,

regardless of whether it is oil or incense. But if it is incense, then he should not inhale its smoke, because the smoke has particles which pass through to the stomach, and so it will break his fast like water or something similar. But as for just smelling it without inhaling it so that it reaches his stomach, there is no objection to that.

Q. 422. What is the difference between smelling incense and drops, since the former breaks the fast and the latter does not?

A. The difference between them is that a person who sniffs it intends to make it enter his stomach, but as regards for drops, he does not intend that it reach the stomach, he only intends to put drops in his nose.

Q. 423. What is the ruling on nasal drops, eye drops and ear drops for the fasting person?

A. Regarding nose drops, if they reach the stomach, then they break the fast, according to what was reported in the *Hadith* of Laqit bin Sabirah, may Allâh be pleased with him, in which the Prophet ﷺ said to him:

«بَالِغْ فِي الِاسْتِنْشَاقِ إِلَّا أَنْ تَكُونَ صَائِمًا»

"Exaggerate in sniffing water into the nose (i.e. during ablution) except when you are fasting."[1]

So, it is not permissible for the fasting person to put drops in his nose which reach his stomach. As for those drops that do not reach his stomach, they do not break the fast.

In the case of eye drops – and the application of kohl is similar – as well as ear drops, they do not cause the fasting person to break his fast. This is because there is nothing reported

[1] The reference for this *Hadith* was mentioned previously under no. 411.

regarding them, nor are they similar to anything which has been reported. The eye is not an opening for food and drink, and likewise the ear. For it is like other orifices in the skin, and the scholars have said that if the bottom of a person's foot splashed in something and he tasted it in his throat, he would not break his fast by that, because this is not an opening. So based on this, the application of kohl or drops in his eyes, or drops in his ear, would not break his fast, even if he tasted it in his throat.

Similarly, if a person applied ointment as a treatment, or for some other reason, it would not harm him; and likewise, if he was breathless and he used the inhaler which is blown into the mouth in order to make his breathing easier, it would not cause him to break his fast, because it does not reach the stomach, and so it is not food or drink.

Q. 424. If a person had a nocturnal emission while he was fasting, is his fast valid?

A. Yes, his fast is valid, because a nocturnal emission does not invalidate fasting. This is because it happens without a person choosing it, and the pen has been lifted from what happens while he is sleeping. But it is relevant here to draw attention to what many people do nowadays, which is to stay awake during the night hours of Ramadan and possibly stay awake doing something which does not benefit them, or something that is harmful to them. Then when the daytime comes, they spend it sleeping, and this is not befitting. Indeed, what should be done is for a person to make his fasting time a time for performing acts of obedience, remebrance of Allâh, reciting the Qur'ân and other deeds that bring him closer to Allâh, the Most Blessed, the Most High.

Q. 425. What is the ruling on a fasting person cooling himself down?

A. It is permissible for a fasting person to cool himself down, and there is no objection to it, for the Messenger ﷺ used to pour water over his head due to heat or thirst and he was fasting,[1] and Ibn 'Umar, may Allâh be pleased with them, used to wet his garment when he was fasting in order to alleviate the excessive heat and thirst. And wetness has no effect, because in such cases water does not reach the stomach.

Q. 426. If a fasting person rinses his mouth or sniffs water into his nose, and the water enters his stomach, does he break his fast thereby?

A. If a person rinses his mouth or sniffs water into his nose and the water enters his stomach, it does not break his fast, because he did not intend to do it and Allâh, the Most High has said:

﴿وَلَيْسَ عَلَيْكُمْ جُنَاحٌ فِيمَآ أَخْطَأْتُم بِهِۦ وَلَٰكِن مَّا تَعَمَّدَتْ قُلُوبُكُمْ﴾

"And there is no sin on you concerning that in which you made a mistake, except in regard to what your hearts deliberately intend."[2]

Q. 427. What is the ruling on a fasting person using perfumes?

A. There is no objection to a fasting person using them during the daytime in Ramadan or sniffing them, apart from incense, which he should not sniff, because it has some substance which reaches the stomach, and that is the smoke.

Q. 428. Does a nosebleed break the fast?

A. A nosebleed does not break the fast, because it is not by the choice of the person who has it.

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[1] Reported by Abu Dawud in the Book of Fasting, in the Chapter: The Fasting Person May Pour Water Over Himself Due to Thirst (2365).

[2] *Al-Ahzab* 33:5

Q. 429. We have seen in some calendars that during Ramadan there is a section called *Al-Imsak*. It is situated about ten minutes or a quarter of an hour before the *Fajr* prayer. Is there any basis for this in the *Sunnah*, or is it an innovation? Deliver a legal verdict for us and may you be rewarded.

A. This is a form of innovation, and there is no basis for it in the *Sunnah*. Indeed, the *Sunnah* contradicts it, because Allâh says in His Mighty Book:

﴿وَكُلُوا۟ وَٱشْرَبُوا۟ حَتَّىٰ يَتَبَيَّنَ لَكُمُ ٱلْخَيْطُ ٱلْأَبْيَضُ مِنَ ٱلْخَيْطِ ٱلْأَسْوَدِ مِنَ ٱلْفَجْرِ﴾

"...and eat and drink until the white thread (light) of dawn appears to you distinct from the black thread (darkness of night)."[1]

And the Prophet ﷺ said;

«إِنَّ بِلَالًا يُؤَذِّنُ بِلَيْلٍ، فَكُلُوا وَاشْرَبُوا حَتَّى تَسْمَعُوا أَذَانَ ابْنِ أُمِّ مَكْتُومٍ فَإِنَّهُ لَا يُؤَذِّنُ حَتَّى يَطْلُعَ الْفَجْرُ»

"Bilal makes the Athan at night, so eat and drink until you hear the Athan of Ibn Umm Maktum, because he does not call the Athan until Fajr begins."[2]

This *Imsak* (time to stop eating and drinking) which some people regulate is an addition to what Allâh, the Almighty, the All-Powerful has enjoined, and so it is invalid and it is extreme, and the Prophet ﷺ said:

«هَلَكَ الْمُتَنَطِّعُونَ، هَلَكَ الْمُتَنَطِّعُونَ، هَلَكَ الْمُتَنَطِّعُونَ»

"Ruined are those who indulge in extremism, ruined are those who indulge in extremism, ruined are those who indulge in extremism."[3]

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[1] *Al-Baqarah* 2:187

[2] Reported by Al-Bukhari in the Book of Fasting, in the Chapter: The Statement of the Prophet ﷺ: Do not Let the *Athan* of Bilal Prevent You (1918); and by Muslim in the Book of Fasting, in the Chapter: Clarification That Fasting Starts With the Beginning of *Fajr* (1092).

[3] Reported by Muslim in the Book of Fasting, in the Chapter: Ruined

Q. 430. If the sun set upon a person and the *Mu'aththin* called the *Athan* while he was on the ground in the airport and he broke his fast, then after the airplane took off, he saw the sun, should he fast?

A. Our answer to this is that he is not required to stop eating and drinking, because the time for breaking the fast came while they were on the ground. So, the sun set while they were in a place in which it set, and the Messenger of Allâh ﷺ said:

«إِذَا أَقْبَلَ اللَّيْلُ مِنْ هَاهُنَا وَأَدْبَرَ النَّهَارُ مِنْ هَاهُنَا وَغَرَبَتِ الشَّمْسُ فَقَدْ أَفْطَرَ الصَّائِمُ»

"When night falls from this side, and the day vanishes from this side, and the sun sets, then the fasting person should break his fast."[1]

So, if a person upon whom the sun set, broke his fast while he was on the ground in the airport, then his day has ended. If his day has ended, then he is not obliged to fast except on the next day. So, based on this, it is not necessary to fast in these circumstances, because breaking the fast was only according to a legal evidence, and it is not required to fast except based upon a legal evidence.

Q. 431. What is the ruling on swallowing sputum or phlegm by a fasting person?

A. If sputum or phlegm does not reach the mouth, then it does not break the fast, and there is only one opinion on this in the *Mathhab*.

If it does reach the mouth, then he swallows it, the scholars hold two opinions regarding it:

Some of them hold that it breaks the fast, including it in the same category as food and drink. Others hold that it does not

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are Those Who Indulge in *Tanattu'* (2670).

[1] Reported by Al-Bukhari in the Book of Fasting, in the Chapter: Fasting on a Journey and Breaking the Fast (1941).

break the fast, including it in the same category as saliva, for saliva does not break the fast, even if one collected his saliva and swallowed it, his fast is not invalidated.

When the scholars disagree, it is necessary to refer to the Book (of Allâh) and the *Sunnah*; and if we are in doubt as to whether this matter invalidates the act of worship or it does not invalidate it, then the basic principle is that it is not invalidated and based upon this, swallowing sputum does not break the fast.

The important thing is that a person leaves his sputum, and does not try to draw it into his mouth from the back of his throat, but if it comes into his mouth, then he should expel it, whether he is fasting or not. As for breaking the fast, it requires an evidence which will be a convincing proof for a person before Allâh, the Almighty, the All-Powerful, for the invalidation of the fast.

Q. 432. Is the fast invalidated by tasting food?

A. Tasting food does not invalidate the fast, if a person does not swallow it. But you should not do it unless there is a need for it; and in this situation, if any of it enters the stomach without your intending it, then your fast is not invalidated.

Q. 433. If a person speaks forbidden words during the daylight in Ramadan, does it invalidate his fast?

A. If we recited the Words of Allâh, the Almighty, the All-Powerful:

﴿يَٰٓأَيُّهَا ٱلَّذِينَ ءَامَنُوا۟ كُتِبَ عَلَيْكُمُ ٱلصِّيَامُ كَمَا كُتِبَ عَلَى ٱلَّذِينَ مِن قَبْلِكُمْ لَعَلَّكُمْ تَتَّقُونَ﴾

"O you who believe! Observing As-Saum (the fasting) is prescribed for you as it was prescribed for those before you, that you may become Al-Muttaqun."[1]

[1] *Al-Baqarah* 2:183

we will know the wisdom behind the obligation of fasting, which is *Taqwa* and the worship of Allâh, the Most Glorified, the Most High. *Taqwa* means to abandon forbidden things, and without exception, those things include doing that which is commanded and leaving that which is forbidden. For the Prophet ﷺ said:

«مَنْ لَمْ يَدَعْ قَوْلَ الزُّورِ، وَالْعَمَلَ بِهِ، وَالْجَهْلَ فَلَيْسَ للهِ حَاجَةٌ فِي أَنْ يَدَعَ طَعَامَهُ وَشَرَابَهُ»

"Whoever does not give up untruthful speech and evil actions, Allâh is not in need of him leaving his food and drink."[1]

According to this, it is confirmed that it is a duty upon the fasting person to avoid unlawful things, including words and deeds. He should not backbite people, nor should he lie, nor should he spread tales among them, nor should he sell forbidden things; he should avoid all unlawful things. If a person undertakes the performance of those things which are commanded, and leaves the unlawful things for a whole month, then his soul will go straight for the remainder of the year.

But unfortunately, many fasting people do not distinguish between the day of their fast and that of not fasting. Instead, they behave in their usual manner, saying unlawful things, such as lying, cheating and other such things. You do not sense the solemnity of fasting from him. These deeds do not invalidate the fast, but they decrease his reward, and it is possible that at the time of accounting, the reward of fasting will be lost.

Q. 434. What is the meaning of 'untruthful testimony' and does it invalidate fasting?

A. Untruthful testimony is one of the greatest of the major sins, and it is for a man to testify to something which he does

[1] Reported by Al-Bukhari in the Book of Fasting, in the Chapter: Whoever Does not Give up Untruthful Speech and Acting Upon it (1903).

not know, or to testify to something when he knows that it is not true. It does not invalidate the fast, but it decreases its reward.

Q. 435. What are the required manners of fasting?

A. The required manners of fasting include the obligation to fear Allâh, the Almighty, the All-Powerful, by doing what He has commanded and avoiding what He has prohibited, according to the Words of Allâh, the Most High:

﴿يَـٰٓأَيُّهَا ٱلَّذِينَ ءَامَنُوا۟ كُتِبَ عَلَيْكُمُ ٱلصِّيَامُ كَمَا كُتِبَ عَلَى ٱلَّذِينَ مِن قَبْلِكُمْ لَعَلَّكُمْ تَتَّقُونَ﴾

"O you who believe! Observing As-Saum (the fasting) is prescribed for you as it was prescribed for those before you, that you may become Al-Muttaqun."[1]

and the statement of the Prophet ﷺ:

«مَنْ لَمْ يَدَعْ قَوْلَ الزُّورِ، وَالْعَمَلَ بِهِ، وَالْجَهْلَ فَلَيْسَ للهِ حَاجَةٌ فِي أَنْ يَدَعَ طَعَامَهُ وَشَرَابَهُ»

"Whoever does not give up untruthful speech and evil actions, Allâh is not in need of him leaving his food and drink."[2]

Included in the required manners of fasting is that a person increase his charitable acts, righteous deeds and *Ihsan* towards the people, especially in Ramadan. Because the Messenger of Allâh ﷺ was the most generous of people, and he was at his most generous in Ramadan when Jibrail, peace be upon him, came to him and recited the Qur'ân with him.[3]

Also included among them is avoiding what Allâh has

[1] *Al-Baqarah* 2:183

[2] The reference for this *Hadith* was mentioned previously under no. 433.

[3] Reported by Al-Bukhari in the Book of Fasting, in the Chapter: The Prophet ﷺ Was at His Most Generous in Ramadan (1902).

forbidden, such as lying, slander, vilification, cheating, betrayal, looking at forbidden things, listening to forbidden things, and other unlawful deeds which the fasting person and others are required to avoid. Although avoiding the unlawful is more necessary in the case of the fasting person.

Also included among them that is, the manners required of a fasting person is that he eat *Sahur*, and that he delay the *Sahur* (until just before *Fajr*), in accordance with the words of the Prophet ﷺ:

«تَسَحَّرُوا فَإِنَّ فِي السَّحُورِ بَرَكَةً»

"Eat Sahur, because there is a blessing in Sahur."[1]

Among its required manners is also to break the fast with fresh dates, and if they are not available, then dried dates, and if they are not available then with water. One should hasten to break the fast as soon as it is confirmed that the sun has set, or until one feels it is most probable that it has set, in accordance with the statement of the Prophet ﷺ:

«لَا يَزَالُ النَّاسُ بِخَيْرٍ مَا عَجَّلُوا الْفِطْرَ. . .»

"The people will remain in good circumstances as long as they hasten to break their fast."[2]

Q. 436. Is there any supplication reported from the Prophet ﷺ and the Companions, may Allâh be pleased with them, at the time of breaking the fast? Should the fasting person repeat what the *Mu'aththin* says, or continue breaking his fast?

[1] Reported by Al-Bukhari in the Book of Fasting, in the Chapter: The Blessing of *Sahur* (1923); and by Muslim in the Book of Fasting, in the Chapter: The Virtue of *Sahur* (1095).

[2] Reported by Al-Bukhari in the Book of Fasting, in the Chapter: Hastening to Break the Fast (1957); and by Muslim in the Book of Fasting, in the Chapter: The Virtue of *Sahur* (1098).

A. The supplication at the time of fasting is most likely to be answered, because it is at the end of an act of worship, and in most cases, a human self is at its weakest point just before he breaks his fast. The weaker a person is physically, and the more tender-hearted, the greater is his feeling of repentance and humility towards Allâh, the Almighty, the All-Powerful.

The supplication which is reported from the Prophet ﷺ is:

«اللَّهُمَّ لَكَ صُمْتُ وَعَلَى رِزْقِكَ أَفْطَرْتُ»

(*Allâhumma Laka Sumtu Wa 'Ala Rizqika Aftartu.*)

"Oh, Allâh! For Your sake I have fasted and with Your sustenance I have broken my fast."[1]

When he broke his fast, the Prophet ﷺ also said:

«ذَهَبَ الظَّمَأُ، وَابْتَلَّتِ الْعُرُوقُ وَثَبَتَ الْأَجْرُ إِنْ شَاءَ اللهُ»

(*Thahabath-Thama'u Wabtallatil-'Urooqu Wa Thabatal-Ajru In Sha' Allâh.*)

"Thirst has gone, the arteries are moist, and the reward is sure, if Allâh wills."[2]

Although there may be some weakness in these two *Ahadith*, some of the scholars have declared them to be *Hasan*; and in any case, if you supplicated using these words or any other words that came to your heart when breaking your fast, then it is most likely to be answered.

As for answering the *Mu'aththin* when a person is breaking his fast, it is lawful, because the saying of the Prophet ﷺ:

«إِذَا سَمِعْتُمُ الْمُؤَذِّنَ فَقُولُوا مِثْلَ مَا يَقُولُ»

[1] Reported by Abu Dawud in the Book of Fasting.

[2] Reported by Abu Dawud in the Book of Fasting, in the Chapter: What to Say When Breaking the Fast (2357).

"If you hear the Mu'aththin, then say what he says."[1]

applys to all situations, except those for which there is some evidence to show otherwise.

Q. 437. What is your opinion regarding fasting the six days of Shawwal for one who has fasting to make up for?

A. The answer to this is to be found in the words of the Prophet ﷺ:

«مَنْ صَامَ رَمَضَانَ، ثُمَّ أَتْبَعَهُ بِسِتٍّ مِنْ شَوَّالٍ كَانَ كَصِيَامِ الدَّهْرِ»

"Whoever fasted Ramadan, then followed it by six days from Shawwal, it would be as if he had fasted perpetually."[2]

If a person had some fasting to make up for, and he fasted the six days, should he fast them before the days of Ramadan (which he has to make up for) or after them? For example, this man fasted twenty-four days of Ramadan and there remained six days incumbent upon him; so if he fasted the six days of Shawwal before fasting the six days which he had to make up for, then it would not be said that he had fasted Ramadan then followed it by six days from Shawwal. It could not be said that he had fasted Ramadan unless he had fasted all of it. So based upon this, the reward for fasting the six days from Shawwal would not be confirmed for one who fasted them while he still had days to make up for from Ramadan.

This question does not belong to the same category as the question of whether it is permissible for one to perform voluntary fasts, who has days of Ramadan to make up for in which there is a difference of opinion among scholars. Because this difference of opinion is not regarding the six days. As for

[1] Reported by Al-Bukhari in the Book of the *Athan*, in the Chapter: What is Said When the Caller is Heard (611); and by Muslim in the Book of Prayer, in the Chapter: The Recommendation of Saying What the *Mu'aththin* Says (384).

[2] Reported by Muslim in the Book of Fasting, in the Chapter: The Recommendation of Fasting Six Days From Shawwal (1164).

the six days, they follow on from Ramadan and it is not possible for the reward of them to be confirmed except for one who has completed Ramadan.

Q. 438. A sick person fasted in Ramadan, and after four days from the start of the month, he died; should (the rest of the month) be made upon for him?

A. If this illness which afflicted him was a sudden illness and it remained with him until he died, then it is not necessary to make it up on his behalf, because Allâh, the Most High says:

﴿وَمَن كَانَ مَرِيضًا أَوْ عَلَىٰ سَفَرٍ فَعِدَّةٌ مِّنْ أَيَّامٍ أُخَرَ﴾

"...and whoever is ill or on a journey, the same number [of days which one did not observe Saum (fasts) must be made up] from other days."[1]

So, what is incumbent upon this sick person is to fast a number of other days, and if he died before he was able to do that, the obligation is lifted from him, because he did not live until the time in which the fast was incumbent upon him. So, he is like one who died in Sha'ban, he is not obliged to fast the approaching month of Ramadan. But if the illness was one from which he was not expected to recover, then the basic principle is that he is obliged to feed a destitute person for each day.

Q. 439. If a man still had some days to make up for from the month of Ramadan and he did not make them up before the start of the next Ramadan, what should he do?

A. It is well known that Allâh, the Most Glorified, the Most High says:

﴿فَمَن شَهِدَ مِنكُمُ الشَّهْرَ فَلْيَصُمْهُ وَمَن كَانَ مَرِيضًا أَوْ عَلَىٰ سَفَرٍ فَعِدَّةٌ مِّنْ أَيَّامٍ أُخَرَ﴾

[1] *Al-Baqarah* 2:185

"So whoever of you sights (the crescent on the first night of) the month (of Ramadan, i.e. is present at his home), he must observe Saum (fasts) that month. and whoever is ill or on a journey, the same number (of days which one did not fast must be made up) from other days."[1]

So, this man, who broke his fast for some valid legal reason, is obliged to make up for it, in obedience to the Command of Allâh, the Most Glorified, the Most High. He must make it up in that year, and he should not delay it until after the following Ramadan. 'Aishah, may Allâh be pleased with her, said: "I had days to make up from Ramadan, and I was unable to make them up until Sha'ban (i.e. the month before the following Ramadan)."[2]

This was due to the Messenger of Allâh's relationship with her,[3] so her saying 'I was unable to make them up until Sha'ban' is a proof that they must be made up for before the start of the next Ramadan.

But if he delayed it until after the following Ramadan, he should seek forgiveness from Allâh and repent to Him, and be remorseful for what he has done, and make up for these days. The obligation to make it up for is not removed merely because it has been delayed, so he should make up for these days even if it was after the next Ramadan. And Allâh is the Granter of success.

Q. 440. What is preferred regarding the fasting of six days from the month of Shawwal?

A. It is preferred for the six days of Shawwal to be fasted immediately after *'Eid*, and for them to be consecutive, as

[1] *Al-Baqarah* 2:185

[2] Reported by Al-Bukhari in the Book of Fasting, in the Chapter: When the Missed Days of Fasting Should be Made up for (1950).

[3] That is, due to his making a lot of demands on her time, since she was the most beloved of his wives and he used to spend lot of time with her and consult her on many matters.

determined by the scholars. Because that is better in order to achieve 'the following' which is mentioned in the *Hadith* mentioned under no. 437 and 441:

«ثُمَّ أَتْبَعَهُ»

"then followed it."

And, because doing so is a form of hastening to do good, which is encouraged by the texts (of the Qur'ân and *Sunnah*), and for which the doer is praised. It also shows the energy and resolution, which is part of the completeness of being a worshipper. For we should not allow opportunities (to do good) to pass by, since a person does not know what lies in store for him at the end of the day. A Muslim is required to behave in this way – I mean hastening to act and seizing the opportunity in all his affairs whenever the right course of action becomes clear to him.

Q. 441. Is it permissible for a person to choose the days on which he will fast in Shawwal, or are these days at a specific time? And if a Muslim fasts these days, do they become incumbent upon him, and is he obliged to fast them every year?

A. It is confirmed from the Messenger of Allâh ﷺ that he said:

«مَنْ صَامَ رَمَضَانَ، ثُمَّ أَتْبَعَهُ بِسِتٍّ مِنْ شَوَّالٍ كَانَ كَصِيَامِ الدَّهْرِ»

"Whoever fasted Ramadan then followed it by six days from Shawwal, it would be as if he had fasted perpetually."[1]

These six days are not fixed days; rather the believer may choose them from the whole month. If he wishes, he may fast them at the start of the month, if he wishes, he may fast them during the month, if he wishes, he may fast them at the end of the month and if he wishes, he may fast them separately. There is room for accommodation in the matter, all praise and thanks

[1] The reference for this *Hadith* was mentioned previously under no. 437.

are to Allâh. But if he hastened to fast and fasted them consecutively at the beginning of the month, it would be better, since one should hasten to do good deeds. But there is no pressure to do this, all praise and thanks are to Allâh. On the contrary, there is room for indulgence in the matter: If he wishes, he may fast them consecutively and if he wishes, he may fast them separately. If he fasted them in some years and did not do so in others, there is no objection, because they are a voluntary act of worship, and not obligatory.

Q. 442. What is the ruling on fasting the Day of *'Ashura'*?

A. When the Prophet ﷺ arrived in Al-Madinah, he found the Jews fasting on the tenth day of Muharram. He said:

«أَنَا أَحَقُّ بِمُوسَى مِنْكُمْ فَصَامَهُ وَأَمَرَ بِصِيَامِهِ»

"I am more entitled to follow Musa (peace be upon him) than you."

So, he fasted on that day and ordered that the fast be performed on it.[1]

In the *Hadith* of Ibn 'Abbas, may Allâh be pleased with them, whose authenticity is agreed upon by Al-Bukhari and Muslim it is stated that the Prophet ﷺ fasted on the Day of *'Ashura'* and he ordered that the fast be performed on it, and when he was asked about the virtue of fasting on it, he ﷺ said:

«أَحْتَسِبُ عَلَى اللهِ أَنْ يُكَفِّرَ السَّنَةَ الَّتِي قَبْلَهُ»

"I anticipate that Allâh will wipe out the sins of the year before it, and the year after it."[2]

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[1] Reported by Al-Bukhari in the Book of Fasting, in the Chapter: Fasting on the Day of *'Ashura'* (2004); and by Muslim in the Book of Fasting, in the Chapter: Fasting on the Day of *'Ashura'* (1130).

[2] Reported by Muslim in the Book of Fasting, in the Chapter: The Recommendation to Fast Three Days of Every Month and to Fast on the Day of *'Arafah* (1162).

However, after that, he commanded that the Muslims should be different from the Jews by fasting the tenth and the day before it, which is the ninth or a day after it, which is the eleventh.

Based upon this, it is preferable to fast on the tenth and to add a day before it or a day after it. Adding the ninth day to it is better than the eleventh.

So, my Muslim brother, it is desirable that you should fast on the Day of *'Ashura'* and likewise on the ninth.

Q. 443. What is the ruling on fasting in the month of Sha'ban?

A. Fasting in the month of Sha'ban is a *Sunnah*, and fasting often in it is a *Sunnah*. So, much so that 'Aishah, may Allâh be pleased with her, said: "I did not see him fasting in any month more than Sha'ban."[1]

Therefore, based upon this *Hadith*, it is desirable to fast much in the month of Sha'ban.

The scholars have said fasting Sha'ban is similar to the relationship of regular *Sunnah* prayers to the obligatory prayers. It is as if it were an introduction to the month of Ramadan, i.e. as if it were a regular *Sunnah* for the month of Ramadan. This is why fasting is prescribed in the month of Sha'ban, and why six days of fasting have been prescribed in the month of Shawwal. Like the regular *Sunnah* prayers before and after the obligatory prayer. There is another benefit in fasting during the month of Sha'ban; that is adjusting oneself and preparing oneself for fasting in order to be ready for the fast of Ramadan, and to make its performance easy.

Q. 444. If a person fasts for a day and breaks fast for a day, and the day on which he fasts falls on a Friday, is it permissible for him to fast that day or not?

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[1] Reported by Al-Bukhari in the Book of Fasting, in the Chapter: Fasting in Sha'ban (1969).

A. Yes, it is permissible for a person, if he fasts one day and breaks fast the next day, to fast on Friday alone, or on Saturday or Sunday or any other day, as long as it does not coincide with a day on which fasting is unlawful. If it coincided with a day on which it is unlawful to fast, he must abandon the fast.

So, if it happened that a man used to fast one day and break fast the next day and his breaking fast happened to be on Thursday, and the day of his fasting was on Friday, there is no sin upon him if he fasts on Friday in that case. This is because he did not fast on Friday because it is Friday, but because it coincided with the day on which he normally fasts. But if the day on which he fasts coincided with a day on which it is unlawful to fast, then he must abandon the fast, such as if it fell on the day of *'Eid Al-Adha* or the Days of *Tashriq*.[1]

Similarly, if a woman used to fast one day and break fast the next day, then something prevented her from fasting, such as menstruation or postpartum bleeding, she should not fast in that case.

Q. 445. What is *Saum Al-Wisal*? And is it legislated?

A. *Saum Al-Wisal* means for a person not to break his fast for two days, so he fasts continuously for two consecutive days and the Prophet ﷺ prohibited this, saying:

«مَنْ أَرَادَ أَنْ يُوَاصِلَ فَلْيُواصِلْ إِلَى السَّحَرِ»

> *"Do not fast continuously (Al-Wisal), and if you intend to lengthen your fast, then carry it on only till the Sahur."*[2]

Wisal until *Sahur* is something permitted, and not something prescribed and the Messenger ﷺ encouraged us to be hasty in

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[1] Days of *Tashriq*: The days following the Day of Slaughter after the *Hajj* (11th, 12th and 13th of Thul-Hijjah)

[2] Reported by Al-Bukhari in the Book of Fasting, in the Chapter: Fasting Continuously Until *Sahur* (1967).

breaking our fast, for he said:

«لَا يَزَالُ النَّاسُ بِخَيْرٍ مَا عَجَّلُوا الْفِطْرَ»

"The people will remain in good circumstances as long as they hasten to break their fast."[1]

But it has been permitted for them to continue their fast until *Sahur* only, for when they said: "But you practice *Al-Wisal*, Oh, Messenger of Allâh," he replied:

«إِنِّي لَسْتُ كَهَيْئَتِكُمْ»

"I am not like you."[2]

Q. 446. What is the reason for the prohibition of singling out Friday for fasting? And does it (i.e. the prohibition) include making up for fasting days owed?

A. It is confirmed from the Prophet ﷺ that he said:

«لَا تَخُصُّوا يَوْمَ الْجُمُعَةِ بِصِيَامٍ وَلَا لَيْلَتَهَا بِقِيَامٍ»

"Do not single out Friday specially for fasting, nor its night for standing in prayer."[3]

The wisdom behind the prohibition of singling out Friday for fasting is that Friday is the weekly *'Eid*, and it is one of the three legislated *'Eids*. For, in Islam there are three *'Eids* and they are: *'Eidul-Fitr* after Ramadan, *'Eidul-Adha* and the weekly *'Eid*, which is Friday.

Because of this, it is prohibited to single it out specially for fasting, and also because on this day, it is required that men

[1] The reference for this *Hadith* was mentioned previously under no. 435.

[2] Reported by Al-Bukhari in the Book of Fasting, in the Chapter: *Al-Wisal* is Only Allowed Until *Sahur;* and by Muslim in the Book of Fasting, in the Chapter: The Prohibition of *Al-Wisal* (1102).

[3] Reported by Muslim in the Book of Fasting, in the Chapter: The Hatefulness of Fasting on Friday Alone (1144).

should come to the Friday prayer and occupy themselves with supplications and remembrance of Allâh. So, Friday resembles the Day of *'Arafah*, on which it is unlawful for the *Hajj* pilgrim to fast due to the fact that he is preoccupied with supplications and remembrance of Allâh. It is well known that when acts of worship, of which it is possible to delay some, compete with one another, that which is not possible to delay takes precedence over the one which may be delayed.

If some one said: This reason given, that it is a weekly *'Eid*, necessitates that fasting on it should be unlawful like fasting on the (other) two *'Eid* days; not simply that singling it out specially for fasting be prohibited, we would reply: It differs from the (other) two *'Eid* days, because it recurs four times in every month. For this reason the prohibition of fasting on it is not one of absolute forbiddance. In addition there are other attributes which distinguish the two *'Eids* from Friday.

However, if a person fasted the day before it, it would be known in that case that his intention was not to single out Friday especially for fasting, because he had fasted the day before it, which is Thursday or the day after it, which is Saturday.

As for the saying of the questioner: Does this only apply to voluntary fasts, or does it include making up for fasting days owed? it would appear from the evidence that it is general and that it is disliked to single out Friday specially for fasting, whether it is for an obligatory fast or a voluntary fast, unless a person had work from which he was only free and capable of making up for his fast on Friday – in that case, it would be allowed for him to single out Friday for fasting, because he was in need of that.

Q. 447. If a person invalidated a voluntary fast due to some act that broke the fast, is he guilty of sin? And if he invalidated it by having sexual intercourse, is there any atonement incumbent upon him?

A. If a person performs a voluntary fast, then he breaks his fast by eating, drinking or sexual intercourse, there is no sin upon him. Because every person who begins a voluntary act is not required to complete it unless it is in *Hajj* or *'Umrah* but it is better to complete it. In such a case, there is no atonement upon him if he had sexual intercourse with his wife during a voluntary fast, because he is not required to complete it.

But if the fast was an obligatory one and he had sexual intercourse with his wife, then that is not permissible. Because it is not permissible to break off an obligatory fast except in cases of necessity, and there is no atonement incumbent upon him unless it was during the daytime in the month of Ramadan. In this case, he was one of those for whom fasting is compulsory and pay close attention to our words: And he was one of those for whom fasting is compulsory. Because if it happened that a man was traveling with his wife, and they were fasting on the journey, then he had sexual intercourse with her, there is no sin upon them, nor is there any atonement incumbent upon them. It is only required that he and his wife make up for that day on which sexual intercourse took place.

Q. 448. What is the ruling on *I'tikaf*? Is it permissible for the person performing *I'tikaf* to leave the *Masjid* in order to answer the call of nature and to eat, and also to go out in order to get medical treatment? And what are the *Sunan* of *I'tikaf*? And what is the correct manner of performing *I'tikaf* as reported from the Prophet ﷺ?

A. *I'tikaf* is to seclude oneself in the *Masjid* in order to devote oneself to acts of obedience to Allâh, the Almighty, the All-Powerful. It is prescribed in order that we may seek *Lailatul – Qadr*, and Allâh, the Most High has referred to it in the Qur'ân:

﴿وَلَا تُبَٰشِرُوهُنَّ وَأَنتُمْ عَٰكِفُونَ فِى ٱلْمَسَٰجِدِ﴾

"And do not have sexual relations with them (your wives) while

you are in I'tikaf in the mosques.."[1]

It is confirmed in the the *Two Sahihs* and other books, that the Prophet ﷺ performed *I'tikaf*, and that his Companions, may Allâh be pleased with them, performed it with him.[2]

I'tikaf remained prescribed, and was not abrogated. For it is reported in the the *Two Sahihs* on the authority of 'Aishah, may Allâh be pleased with her, that she said: "The Prophet ﷺ used to perform *I'tikaf* in the last ten days of Ramadan until Allâh, the Almighty, the All-Powerful took his soul and then his wives performed *I'tikaf* after him."[3]

In *Sahih Muslim*, it is reported on the authority of Abu Sa'id Al-Khudri, may Allâh be pleased with him, that the Prophet ﷺ said:

«إِنِّي اعْتَكَفْتُ الْعَشْرَ الْأَوَّلَ أَلْتَمِسُ هَذِهِ اللَّيْلَةَ -يَعْنِي لَيْلَةَ الْقَدْرِ- ثُمَّ اعْتَكَفْتُ الْعَشْرَ الْأَوْسَطَ، ثُمَّ أَتَيْتُ فَقِيلَ لِي: إِنَّهَا فِي الْعَشْرِ الْأَوَاخِرِ، فَمَنْ أَحَبَّ مِنْكُمْ أَنْ يَعْتَكِفَ فَلْيَعْتَكِفْ»

"I observed I'tikaf in the first ten (nights and days) in order to seek that night (Lailatul-Qadr). I then observed I'tikaf in the middle ten days. Then (an angel) was sent to me, and I was told that this (night) is among the last ten (nights). So whoever among you likes to observe I'tikaf, he should do so."[4]

So, the people performed *I'tikaf* with him. Imam Ahmad, may Allâh have mercy on him, said: I do not know of anyone among the scholars who disagrees that *I'tikaf* is prescribed. Therefore based upon this, *I'tikaf* is prescribed according to the evidence of the Qur'ân and *Sunnah* and the consensus of the scholars.

[1] *Al-Baqarah* 2:187

[2] Reported by Al-Bukhari in the Book of *I'tikaf*, in the Chapter: *I'tikaf* (2036).

[3] Reported by Al-Bukhari in the Book of *I'tikaf*, in the Chapter: *I'tikaf* in the Last Ten Days (2026).

[4] Reported by Al-Bukhari in the Book of *I'tikaf*, in the Chapter: *I'tikaf* in the Last Ten Days (2027).

The place for it is the *Masjids* in which the congregational prayers are established in any country, according to the generality of the Words of Allâh, the Most High:

﴿وَأَنتُمْ عَٰكِفُونَ فِى ٱلْمَسَٰجِدِ﴾

"...while you are in I'tikaf in the Masjids."

It is preferable for it to be in a *Masjid* in which the Friday prayers are performed, so that one does not need to leave the *Masjid* in order to go to it, but if one performed *I'tikaf* in any other *Masjid*, there is no objection to him leaving early to go to the Friday prayer.

It is desirable for the person performing *I'tikaf* to occupy himself with acts of obedience to Allâh, the Almighty, the All-Powerful, such as prayers, reciting the Qur'ân, remembrance of Allâh, the Almighty, the All-Powerful, because that is the objective behind performing *I'tikaf*. But there is no objection to him talking a little to his companion, especially if there is some benefit in it.

As for his leaving the *Masjid*, the scholars of Islamic Jurisprudence have divided that into three categories:

1. That which is permissible, which is leaving the *Masjid* for some essential purpose according to the Islamic Law, or to fulfill some natural need. Such as going out to the Friday prayer, eating and drinking – if there is no one to bring him those things; going out to perform necessary ablution and *Ghusl*, and to answer the call of nature, such as urinating and defecating.

2. Going out to perform some act of obedience which is not incumbent upon him, such as visiting the sick or to attend a funeral. If he made it conditional at the start of his *I'tikaf*, then it is permissible, but if he did not do so, then it is not permissible.

3. Going out for something which nullifies *I'tikaf*, such as going out to the house, or to shop, or to have sexual intercourse with one's wife. That is not permissible whether one made it conditional or not. And Allâh is the Granter of success.



فتاوى الحج

Fatawa on Hajj (Pilgrimage)

Q. 449. If a person performed *Hajj*, while he does not pray and does not fast, what is the ruling on his *Hajj* in such a state? And when he repents to Allâh, the Almighty, the All-Powerful, should he make up for the acts of worship which he abandoned?

A. Abandoning prayer is an act of disbelief which expels a person from the pale of Islam, due to which he will dwell eternally in the Fire, as proven by the Book (of Allâh), the *Sunnah* and the sayings of the *Salaf*, may Allâh have mercy on them. Based upon this, it is not lawful for a person who does not pray to enter Makkah, for Allâh, the Most High says:

﴿يَـٰٓأَيُّهَا ٱلَّذِينَ ءَامَنُوٓاْ إِنَّمَا ٱلْمُشْرِكُونَ نَجَسٌ فَلَا يَقْرَبُواْ ٱلْمَسْجِدَ ٱلْحَرَامَ بَعْدَ عَامِهِمْ هَـٰذَا﴾

"O you who believe (in Allah's Oneness and in His Messenger Muhammad ﷺ)! Verily, the Mushrikun (polytheists, pagans, idolaters, disbelievers in the Oneness of Allah, and in the Message of Muhammad ﷺ) are Najasun (impure). So, let them not come near Al-Masjid Al-Haram (at Makkah) after this year."[1]

Hajj performed by such a person while he does not pray is not counted nor is it accepted; this is because it was performed by a disbeliever and acts of worship performed by a disbeliever are invalid, according to the Words of Allâh, the Most High:

﴿وَمَا مَنَعَهُمْ أَن تُقْبَلَ مِنْهُمْ نَفَقَـٰتُهُمْ إِلَّآ أَنَّهُمْ كَفَرُواْ بِٱللَّهِ وَبِرَسُولِهِۦ وَلَا يَأْتُونَ ٱلصَّلَوٰةَ إِلَّا وَهُمْ كُسَالَىٰ وَلَا يُنفِقُونَ إِلَّا وَهُمْ كَـٰرِهُونَ﴾

"And nothing prevents their contributions from being accepted from them except that they disbelieved in Allah and in His Messenger (Muhammad ﷺ), and that they came not to As-Salat (the prayer) except in a lazy state, and that they offer not contributions but unwillingly."[2]

[1] *At-Tawbah* 9:28

[2] *At-Tawbah* 9:54

As for the previous acts of worship which he abandoned, it is not incumbent upon him to make up for them, according to the Words of Allâh, the Most High:

﴿قُل لِّلَّذِينَ كَفَرُوٓاْ إِن يَنتَهُواْ يُغْفَرْ لَهُم مَّا قَدْ سَلَفَ﴾

"Say to those who have disbelieved, if they cease (from disbelief), their past will be forgiven."[1]

What is incumbent upon a person who committed this (disbelief) is to turn to Allâh in sincere repentance, to continue doing acts of obedience, and to draw nearer to Allâh through the performance of many righteous deeds, seeking forgiveness, and repenting much, for Allâh, the Most High has said:

﴿قُلْ يَٰعِبَادِىَ ٱلَّذِينَ أَسْرَفُواْ عَلَىٰٓ أَنفُسِهِمْ لَا تَقْنَطُواْ مِن رَّحْمَةِ ٱللَّهِ إِنَّ ٱللَّهَ يَغْفِرُ ٱلذُّنُوبَ جَمِيعًا إِنَّهُۥ هُوَ ٱلْغَفُورُ ٱلرَّحِيمُ﴾

"Say: O 'Ibadı (My slaves) who have transgressed against themselves (by committing evil deeds and sins)! Despair not of the Mercy of Allah, verily, Allah forgives all sins. Truly, He is Oft-Forgiving, Most Merciful.'"[2]

This Verse was revealed regarding those who repent, so Allâh will forgive every sin of which the worshipper repents even if it is associating partners with Allâh, the Almighty, the All-Powerful. And Allâh guides to the Straight Path.

Q. 450. Frequently we observe some Muslims, especially young men, being careless regarding the performance of the obligation of *Hajj* and they postpone it. Sometimes, these people make the excuse that they are preoccupied with work. What is the ruling on this? And what would your advice be to such a person?

[1] *Al-Anfal* 8:38

[2] *Az-Zumar* 39:53

And sometimes, we observe some fathers prohibiting their sons from performing the obligation of *Hajj* with the argument that they are afraid for them, or that they are young, even though the conditions that require *Hajj* are present in their case. So, what is the ruling on this action by these fathers? And what is the ruling on the sons obeying their fathers in this matter? May Allâh reward you with goodness and grant you success in achieving what is good in the life of this world and in the Hereafter.

A. It is well known that *Hajj* is one of the pillars of Islam and one of its great foundations, and, that the Islam of a person is not complete until he performs the *Hajj*, if he fulfills the conditions which make it obligatory for him. It is not permissible for a person to delay *Hajj* who fulfills the conditions which make it obligatory, because Allâh, the Most High and His Messenger ﷺ have commanded that it be performed immediately, and because no one knows what may befall him: He might become poor, or ill or he might die.

And it is not permissible for the fathers and mothers to prevent their sons from performing *Hajj* if the conditions which make it obligatory upon them are fulfilled, and they are accompanied by companions who are trustworthy with regard to their religion and their character.

Nor is it permissible for the sons to obey their fathers or their mothers who tell them not to perform *Hajj* if it is obligatory for them. No creature may be obeyed if he orders an act of disobedience to the Creator, unless the fathers and mothers mention some legal justification for preventing them. In that case, it is necessary for the sons to delay their *Hajj* until this justification for delaying it no longer exists.

I ask Allâh, the Most High that He grants success to us all in attaining what is good and righteous.

Q. 451. If a person is in debt, is he obliged to perform *Hajj*?

A. If a person has a debt which covers all of his wealth, then he is not obliged to perform *Hajj*, because Allâh, the Most High has only enjoined *Hajj* upon those who are able to do it; He, the Most High says:

﴿وَلِلَّهِ عَلَى ٱلنَّاسِ حِجُّ ٱلْبَيْتِ مَنِ ٱسْتَطَاعَ إِلَيْهِ سَبِيلًا﴾

"And Hajj (pilgrimage to Makkah) to the House (Ka'bah) is a duty that mankind owes to Allah, those who can afford the expenses (for one's conveyance, provision and residence)."[1]

A person who has a debt that covers all of his wealth is not obliged to perform *Hajj*, therefore, he should pay his debt, then if it is easy for him after that, he should perform *Hajj*.

However, if his debt is less than the amount he possesses, so that he has sufficient funds to perform *Hajj* after paying his debt, then he should pay the debt and then perform *Hajj*. This is the case whether it is an obligation or a voluntary act. But in the case of the obligatory *Hajj*, he must hasten to perform it, while in the case of the non-obligatory *Hajj*, he has the choice to perform it if he wishes or to leave it if he wishes and there is no sin upon him.

Q. 452. If someone authorized a person as an agent to perform *Hajj* on behalf of his mother, then he found out that that person had taken numerous authorizations (to perform *Hajj*) what would be the ruling in that case? Deliver a legal verdict for us, and may Allâh forgive you.

A. It is desirable that a person should be prudent in his actions. He should not delegate authority to anyone except a person in whom he has confidence in the matter of his religion, meaning

[1] *Aal 'Imran* 3:97

that he is trustworthy and he knows what is required for that particular task which has been delegated to him. So, if you wish to grant authority to a person so that he might perform *Hajj* on behalf of your deceased father or your mother, then you must authorize someone in whom you have trust regarding his knowledge and his religion. This is because many people are extremely ignorant of the rulings for *Hajj*, and so they do not perform it in the required manner, even though they may be trustworthy in themselves, but they think that this is incumbent upon them, and they make many mistakes. People such as these should not be given the authority to perform *Hajj*, due to their lack of knowledge. Then there are people who have the knowledge, but they are not trustworthy and so one finds them being careless about what they say and about what they do during the rites of *Hajj*, due to their lack of integrity and faith. Such a person should also not be given authority or delegated to perform *Hajj*. Anyone who wishes to appoint a person to perform *Hajj* for him, should choose the most knowledgeable and trustworthy person he knows so that he may perform what he has been requested to do in the most perfect manner.

Regarding this person mentioned by the questioner, to whom he granted the authority to perform *Hajj* on behalf of his mother after which he heard that he had accepted the obligation to perform *Hajj* on behalf of others – the matter should be investigated, for it might be that this man has accepted these *Hajj* commissions from others and has appointed people to perform them and he himself is performing the *Hajj* for the person who has entrusted him with it. But is it permissible for a person to do this thing? That is, is it permissible for a person to be appointed by a number of people to perform *Hajj or 'Umrah* and then not to do it himself, but to appoint other people to do it?

We say that the answer is no, it is not permissible, nor is it lawful,

and he is one of those who devours the wealth of others unjustly. There are some people who trade in this matter and one finds them accepting numerous commissions to perform *Hajj* and numerous commissions to perform *'Umrah*, on the understanding that it is he who will perform it, but instead, he appoints so-and-so and so-and-so from among the people for a fee which is less than what he has taken for it. So, he earns money by dishonest means and he gives these *Hajj* and *'Umrah* commissions to persons who might not be acceptable to those who entrusted him. Therefore such a person should fear Allâh regarding his brothers and regarding himself, because if he takes money such as this, he has taken it without right, because he was trusted by his brothers that it was he who would perform the *Hajj* or the *'Umrah*. So, it is not permissible for him to appoint others to do it, because those others might not be acceptable to those who entrusted him to perform this *Hajj* or this *'Umrah*.

Q. 453. An elderly person entered the state of ritual inviolability (*Ihram*) in order to perform *'Umrah*, but when he reached the House (of Allâh), he was unable to perform the *'Umrah*; what should he do?

A. He should remain in a state of ritual inviolability until he becomes stronger, unless he made a condition at the time of assuming *Ihram* saying: "Should anything prevent me, then I may leave the state of *Ihram* at the point at which You stopped me (*In Habasani Habisun Famahalli Haithu Habastani*)." Then he may leave the state of *Ihram* and there is nothing incumbent upon him, neither *'Umrah* nor the Farewell *Tawaf*[1] However, if he did not say that, and it is not expected that he will recover from what ails him, then he should leave the state of *Ihram* and slaughter an animal (a sheep, a cow or a camel) as a ransom if he is able to, because Allâh, the Most High says:

[1] The rite of walking around the Ka'bah.

﴿وَأَتِمُّوا الْحَجَّ وَالْعُمْرَةَ لِلَّهِ فَإِنْ أُحْصِرْتُمْ فَمَا اسْتَيْسَرَ مِنَ الْهَدْيِ وَلَا تَحْلِقُوا رُءُوسَكُمْ حَتَّى يَبْلُغَ الْهَدْيُ مَحِلَّهُ﴾

"And perform properly (i.e. all the ceremonies according to the ways of Prophet Muhammad ﷺ), the Hajj and 'Umrah (i.e. the pilgrimage to Makkah) for Allah. But if you are prevented (from completing them), sacrifice a Hady (animal, i.e. a sheep, a cow, or a camel) such as you can afford, and do not share your heads until the Hady reaches the place of sacrifice."[1]

And when the Prophet ﷺ was prevented from completing the *'Umrah* of Al-Hudaibiyyah, he slaughtered a sheep and left his state of *Ihram*.

Q. 454. If a person performs *Hajj* on behalf of another person and takes payment for it and something remains from it, should he take it?

A. If he takes money with which to perform *Hajj* and this money is more than the cost of the *Hajj*, he is not required to return it to the person who gave him this money, unless the person who gave it to him said to him: 'Make *Hajj* from it,' rather than: 'Make *Hajj* with it.' If he said: 'Make *Hajj* from it,' then if anything is left from the funds, he must return it to its owner. If the owner wishes, he may permit him to keep it, and if he wishes, he may take it. But if he said: '*Make Hajj* with it,' then he is not required to return anything of it, should anything remains. This is so, unless the person who gave him the money does not know anything about the affairs of *Hajj*. In this case he may believe that the expenses of *Hajj* are very great and he gave it to him out of ignorance and lack of knowledge in that case, he must explain to him and say: 'I performed *Hajj* at such and such a cost and the sum which you gave me is more than I have a right to.' In that case, if he allowed him to keep it, there is no sin.

[1] *Al-Baqarah* 2:196

Q. 455. If a son performed *'Umrah* on behalf of his father, is it permissible for him to supplicate on his own behalf?

A. It is permissible for him to supplicate on his own behalf during this *'Umrah* and for his father and for those whom he wills among the Muslims. What was intended is for him to perform the acts of *'Umrah* on behalf of the person who desired them to be performed for him.

As for the matter of supplication, it is neither a pillar nor a condition of *'Umrah*, so it is permissible for him to supplicate for himself and for the person on whose behalf the *'Umrah* is being performed, and for all of the Muslims.

Q. 456. What is the ruling on appointing someone to perform *Hajj* or *'Umrah* on one's behalf?

A. Appointing a person to perform *Hajj* on one's behalf falls within two situations:

1. That it is in order to perform an obligatory act.
2. That it is in order to perform a voluntary act.

If it is in order to perform an obligatory act, then it is not permissible for him to appoint another to perform *Hajj* or *'Umrah* on his behalf, unless he is in circumstances which do not permit him to reach the House (of Allâh) himself. Such as, chronic illness from which it is not expected that he will recover, or advanced age or the like. If it is expected that he will recover from this illness, then he should wait until Allâh cures him and perform the *Hajj* himself.

If there is nothing preventing him from performing *Hajj* and he is able to perform it himself, then it is not lawful for him to appoint another to perform the rites on his behalf, because it is he himself who is required to do it. Allâh, the Most High says:

﴿وَلِلَّهِ عَلَى ٱلنَّاسِ حِجُّ ٱلْبَيْتِ مَنِ ٱسْتَطَاعَ إِلَيْهِ سَبِيلًا﴾

"And Hajj (pilgrimage to Makkah) to the House (Ka'bah) is a duty that mankind owes to Allah, those who can afford the expenses (for one's conveyance, provision and residence)."[1]

So, what is intended by acts of worship is that a person undertakes them himself, in order that his worship of Allâh, the Most Glorified, the Most High and his humility towards Him be complete. It is well known that one who appoints another (to perform an act of worship) on his behalf does not achieve this great objective for which purpose the acts of worship were enjoined.

But if the person has already performed the obligatory *Hajj* and he wishes to authorize another to perform *Hajj* or *'Umrah* on his behalf, then there is a difference of opinion between the scholars in the matter: Some of them permit it while others prohibit it. In my opinion the more correct opinion is that it is not permissible for anyone to authorize another to perform *Hajj* or *'Umrah* on his behalf if it is a non-obligatory act, because the basic principle in acts of worship is that a person performs them himself. Just as a person may not authorize another to fast on his behalf – even though if he died and he was under an obligation to perform a compulsory fast, the one responsible for him (his son, his brother etc.) would be obliged to fast it on his behalf likewise is the case in *Hajj*. The *Hajj* is an act of worship which is undertaken by a person with his body, it is not a monetary act of worship whose intention is to benefit another. Since a physical act of worship must be undertaken by the person himself, then it is not valid for another person to perform it in his place, unless there is some evidence for it in the *Sunnah*. The performance of a non-obligatory *Hajj* by one person on behalf of another has not been reported in the *Sunnah*. This is one of two narrations reported from Imam Ahmad, may Allâh have mercy on him, I mean that it is not

[1] *Aal 'Imran* 3:97

correct for a person to appoint another to perform a voluntary *Hajj* or *'Umrah* on his behalf whether he is able to perform it himself or not. By voicing this opinion, we may encourage the able rich to perform *Hajj* themselves, because some people spend many years without going to Makkah, depending upon the fact that they have authorized others to perform *Hajj* on their behalf every year, and so he misses the objective for which purpose the *Hajj* was prescribed, by appointing another to perform it on his behalf.

Q. 457. Is it permissible to perform *'Umrah* on behalf of the dead?

A. It is permissible to perform *'Umrah* on behalf of the dead, just as it is permissible to perform *Hajj* on behalf of the dead, and similarly, it is permissible to perform *Tawaf* on behalf of the dead. Likewise, it is permissible to perform all manner of righteous deeds on behalf of the dead. Imam Ahmad, may Allâh have mercy on him, said: Every good deed which a person performs and whose reward he allocates to a Muslim whether living or dead will benefit him, but supplicating for the deceased is better than assigning a reward to him, the evidence for which is the statement of the Messenger ﷺ:

«إِذَا مَاتَ الْإِنْسَانُ انْقَطَعَ عَمَلُهُ إِلَّا مِنْ ثَلَاثَةٍ: إِلَّا مِنْ صَدَقَةٍ جَارِيَةٍ، أَوْ عِلْمٍ يُنْتَفَعُ بِهِ، أَوْ وَلَدٍ صَالِحٍ يَدْعُو لَهُ»

"When a person dies, all of his deeds except three are cut off: except Continuing charity, knowledge from which the people benefit, or a righteous son who supplicates for him."[1]

The proof from the *Hadith* is that the Prophet ﷺ did not say: 'or a righteous son who performs acts of worship for him, or recites the Qur'ân or prays, or performs *'Umrah* or fasts,' or any other

[1] Reported by Muslim in the Book of Wills and Testaments, in the Chapter: The Reward Which a Person Receives After His Death (1631).

such thing, in spite of the fact that the *Hadith* concerns deeds and it speaks of the deeds which are cut off by death. So, if what was required of a person was that he perform deeds on behalf of his father or his mother, the Prophet ﷺ would have said: 'or a righteous son who performs deeds on his behalf.' But if a person performs righteous deeds and assigns their reward to a Muslim, then it is permissible.

Q. 458. If a woman performed *Hajj* without a *Mahram*, is her *Hajj* valid? And is a child who is rational considered a *Mahram*? And what are the conditions which a *Mahram* must fulfill?

A. Her *Hajj* is valid, but her action and her travel without a *Mahram* are unlawful, and they are acts of disobedience to the Messenger of Allâh ﷺ. This is because he ﷺ said:

«لَا تُسَافِرِ الْمَرْأَةُ إِلَّا مَعَ ذِي مَحْرَمٍ»

"A woman may not travel except with Mahram."[1]

A child who has not yet reached the age of puberty is not a *Mahram*, because he himself requires guardianship and supervision, and anyone in such circumstances cannot possibly supervise or be a guardian to another.

Regarding the conditions which must be fulfilled by a *Mahram*, the first is that he be a Muslim, male, adult and rational; if he is not all of these things, then he is not a *Mahram*.

There is a very regrettable thing with regard to this matter which is the carelessness of some women concerning travelling

[1] The *Mahram* is a woman's husband, or an adult male relative whom a woman can never lawfully marry. Reported by Al-Bukhari in the Book of the Penalty for Hunting in *Hajj*, in the Chapter: The *Hajj* of Women (1862); and by Muslim in the Book of *Hajj*, in the Chapter: A Woman Travelling With a *Mahram* to *Hajj* and Elsewhere (1341).

by airplane without a *Mahram*. They are very negligent in this matter: One finds women travelling by airplane alone, and their justification for doing this is that they say that her *Mahram* escorted her in the airport from which the airplane took off and the other *Mahram* will meet her in the airport at which the airplane lands, and that in the airplane she is safe. This justification is weak in reality, because the *Mahram* who accompanies her does not admit her onto the airplane, he only admits her to the departure lounge. It may also be that the airplane is delayed in taking off and so this woman remains lost, or the airplane might take off and then be unable to land at the intended airport due to some reason or another, and so it lands at some other place, else and so this woman will be lost. Or, the airplane might land at the intended airport, but the *Mahram* who is supposed to meet her does not arrive due to one reason or another, such as illness, sleep or a car accident which prevents him from getting there, or something else.

Even if all of these things did not happen, and the airplane landed at the correct time of arrival and the *Mahram* who was supposed to meet her was present, there might be some man sitting next to her on the airplane who does not fear Allâh, the Most High and does not respect the worshippers of Allâh, and he might be attracted to her and she to him, which might lead to *Fitnah* (temptation, trial) and unlawful deeds, as is well known.

So, it is incumbent upon a woman to fear Allâh, the Almighty, the All-Powerful and not to travel except with a *Mahram*. It is also incumbent upon women's male guardians whom Allâh has made protectors and maintainers of women to fear Allâh, the Almighty, the All-Powerful, and to avoid being negligent to those they are *Mahrim* for, and losing their zeal and their religion, for a person is responsible for his family. Because Allâh, the Most High has made them a trust for him; He, the Most High says:

﴿يَٰٓأَيُّهَا ٱلَّذِينَ ءَامَنُوا۟ قُوٓا۟ أَنفُسَكُمْ وَأَهْلِيكُمْ نَارًا وَقُودُهَا ٱلنَّاسُ وَٱلْحِجَارَةُ عَلَيْهَا مَلَٰٓئِكَةٌ غِلَاظٌ شِدَادٌ لَّا يَعْصُونَ ٱللَّهَ مَآ أَمَرَهُمْ وَيَفْعَلُونَ مَا يُؤْمَرُونَ﴾

"O you who believe! Ward off yourselves and your families against a Fire (Hell) whose fuel is men and stones, over which are (appointed) angels stern (and) severe, who disobey not, (from executing) the Commands they receive from Allah, but do that which they are commanded."[1]

Q. 459. A woman says: I intend to perform *'Umrah* in Ramadan, but in the company of my sister, her husband and my mother; is it permissible for me to go for *'Umrah* with them?

A. It is not permissible for you to go for *'Umrah* with them, because your sister's husband is not a *Mahram* for you. It is confirmed from the Prophet ﷺ, in the *Hadith* of Ibn 'Abbas, may Allâh be pleased with them, that he said: I heard the Prophet ﷺ delivering a sermon in which he said:

«لَا يَخْلُوَنَّ رَجُلٌ بِامْرَأَةٍ إِلَّا مَعَ ذِي مَحْرَمٍ، وَلَا تُسَافِرِ الْمَرْأَةُ إِلَّا مَعَ ذِي مَحْرَمٍ»

"No person should be alone with a woman except when there is a Mahram with her, and the woman should not undertake journey except with a Mahram."

A man stood up and said: "Oh, Messenger of Allâh! My wife has set out for pilgrimage, whereas I am enlisted to fight in such and such a battle," whereupon he said:

«انْطَلِقْ فَحُجَّ مَعَ امْرَأَتِكَ»

"You go and perform Hajj with your wife."[2]

[1] *At-Tahrim* 66:6

[2] The reference for this *Hadith* was mentioned under the previous answer. (This is the wording of Muslim)

The Prophet ﷺ did not inquire whether there were other women accompanying this woman, or whether she was young or old or whether she was trustworthy or untrustworthy.

If this questioner stayed away from this *'Umrah* due to the fact that she has no *Mahram*, then there is no sin upon her, even if she has not performed *'Umrah* before. Because one of the conditions for the obligation of *'Umrah* and *Hajj* is that the woman has a *Mahram*.

Q. 460. What is the time for *Hajj*?

A. The time for *Hajj* begins with the start of the month of Shawwal and ends either on the tenth of Thul-Hijjah, or on the day of *'Eid*, or on the last day of the month of Thul-Hijjah, and this (latter) is the most authoritative opinion, according to the Words of Allâh, the Most High:

﴿ٱلْحَجُّ أَشْهُرٌ مَّعْلُومَٰتٌ﴾

"The Hajj (pilgrimage) is (in) the well-known (lunar year) months."[1]

And the Word *Ashhur* (in the Verse) is plural and the basic principle regarding plural words is that what is intended by them is the actual meaning. So the meaning of this time, is that *Hajj* takes place during these three months, and it is not performed at just any time within them, because *Hajj* is performed on certain specific days. The exception to this is the rites of *Tawaf* and *Sa'y*[2] – if we say that the whole of Thul-Hijjah is the time for *Hajj*, then it is permissible to delay *Tawaful-Ifadah* [3] and the *Sa'y* of *Hajj* until the last day of Thul-Hijjah. It

[1] *Al-Baqarah* 2:197

[2] The rite of walking and running between the hills of *As-Safa* and *Al-Marwah*.

[3] The *Tawaf* which is performed after shaving the head and donning normal clothing during *Hajj*.

is not permissible for one to delay them more than this, unless there is some valid excuse for doing so, such as if a woman had postpartum bleeding before *Tawaful-Ifadah* and she continued to bleed until after the end of Thul-Hijjah, in that case, she is excused for delaying *Tawaful-Ifadah*. These are the times of *Hajj*.

As for *'Umrah*, there is no specific time for it; it may be performed on any day of the year. However, in the month of Ramadan, it is equivalent (in reward) to *Hajj* and in the months of *Hajj*, the Prophet ﷺ performed all of his *'Umrahs*: The *'Umrah* of Al-Hudaibiyyah was in the month of Thul-Qa'dah, the *'Umrah* of *Al-Qada'*[1] was in the month of Thul-Qa'dah, the *'Umrah* of *Al-Ji'ranah*[2] was in Thul-Qa'dah and the *'Umrah* of *Hajj* was also in the month of Thul-Qa'dah along with *Hajj* in the month of Thul-Qa'dah, which proves the excellence and virtue of performing *'Umrah* in the months of *Hajj*, since the Prophet ﷺ chose these months in which to perform it.

Q. 461. What is the ruling on entering the state of *Ihram* for *Hajj* before the beginning of these times?

A. The scholars have differed regarding the matter of assuming *Ihram* before the start of the months of *Hajj*:

Some of the scholars said that *Hajj* before the months of *Hajj* is valid and so he should remain in a state of *Ihram* for *Hajj*, but it is disliked to assume *Ihram* before the start of the months of *Hajj*.

Other scholars said that whoever assumes *Ihram* before the months of *Hajj*, it will not be valid and it will be an *'Umrah*; that is, it will be changed into *'Umrah*, because as the Prophet ﷺ said:

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[1] *'Umrah of Al-Qada'*: So called because it was performed in the year following the Treaty of Al-Hudaibiyyah in which the Muslims were prevented by the pagans of Makkah from performing *'Umrah*.

[2] *Al-Ji'ranah*: A place near Makkah.

«دَخَلَتْ فِي الْحَجِّ»

"'Umrah has been incorporated into the Hajj."[1]

The Prophet ﷺ called it minor *Hajj*, as reported in the well known *Mursal Hadith* of 'Amr bin Hazm which has been accepted by the people.[2]

Q. 462. What are the starting points (*Mawaqit*) for *Hajj*?

A. The starting points for *Hajj* are five and they are: Thul-Hulaifah, Al-Juhfah, Yalamlam, Qarnul-Manazil and That 'Irq.

As for Thul-Hulaifah, it is a place now known as Abyar 'Ali; it is close to Al-Madinah and lies about ten *Marhalahs*[3] from Makkah. It is the farthest starting place from Makkah, and it is the starting point for the people of Al-Madinah and those who pass through it from other places.

As for Al-Juhfah, it is an old village on the road taken by the people coming from Ash-Sham to Makkah and there are about three *Marhalahs* between it and Makkah. The village has fallen into ruin and the people now assume their *Ihram* from a place called Rabigh instead of it.

As for Yalamlam, it is a mountain or a place on the road to Makkah taken by the people of Yemen, and it is known nowadays as As-Sa'diyyah and there are about two *Marhalahs* between it and Makkah.

As for Qarnul-Manazil, it is a mountain on the road to Makkah taken by the people of Najd and it is known nowadays as As-Sailul-

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[1] Reported by Muslim in the Book of *Hajj*, in the Chapter: The Permissibility of Performing *'Umrah* in the Months of *Hajj* (1241).

[2] Reported by Daraqutni in his *Sunan* (2/285) number 122.

[3] A *Marhalah* means a stage, in reference to a riding distance. Normally one *Marhalah* is equal to approximately twelve miles or five and one half kilometers. Here it appears to have been used to mean miles or kilometers.

Kabir, between it and Makkah there are about two *Marhalahs*.

As for That 'Irq, it is a place on the road to Makkah taken by the people of Iraq and between it and Makkah there are also about two *Marhalahs*.

As for the first four, which are: Thul-Hulaifah, Al-Juhfah, Yalamlam and Qarnul-Manazil, the Prophet ﷺ defined them.[1] He also defined That 'Irq, according to the *Hadith* of 'Aishah, may Allâh be pleased with her, as reported by the compilers of the *Sunan*.[2] It is confirmed on the authority of 'Umar, may Allâh be pleased with him, that he declared it to be the starting point for the people of Kufah and Basrah when they came to him and said: "Oh, Commander of the Faithful! The Prophet ﷺ fixed Qarn as the starting point for the people of Najd, but it is beyond our way and it is difficult for us to pass through it." He said: "Take as your starting point a place situated opposite to Qarn on your usual way." [3] In all cases, if that is confirmed on the authority of the Messenger of Allâh ﷺ, then the matter is clear; and if it is not confirmed from him, then it is confirmed in the *Sunnah* of 'Umar bin Khattab, may Allâh be pleased with him, and he is one of the righteous, rightly-guided caliphs whom we have been commanded to follow and whose rulings agreed with the Judgement of Allâh, the Almighty, the All-Powerful on a number of occasions such as this, if it is correctly attributed to the Prophet ﷺ that he defined it as a starting point.

[1] Reported by Al-Bukhari in the Book of *Hajj*, in the Chapter: The *Miqat* for the People of Makkah for *Hajj* and *'Umrah* (1524); and Muslim: The Book of *Hajj*, the Chapter: The *Miqats* for *Hajj* and *'Umrah* (1181).

[2] Reported by Abu Dawud in the Book of Rites, the Chapter: Regarding the *Miqat* for the People of Iraq; and An-Nasa'i, in the Book of the Rites of *Hajj*, the Chapter: The *Miqat* for the People of Egypt, and the Chapter: The *Miqat* for the People of Iraq.

[3] Reported by Al-Bukhari in the Book of *Hajj*, in the Chapter: That 'Irq is for the People of Iraq (1531).

It also necessitates *Qiyas*, because if a person passes by a starting point, he is required to assume *Ihram* from it and if he is near to it, it is the same as if he passed through it. In the narration of 'Umar, may Allâh be pleased with him, there is a great benefit in our times, which is that when a person approaches Makkah by airplane intending to perform *Hajj* or *'Umrah*, if he is over the starting point, he must assume *Ihram* when he is over it. It is not permissible for him to delay assuming his *Ihram* until he reaches Jeddah, as many people do, because there is no difference between passing by something on land, in the air or on water. Based upon this, those who are travelling on ships which pass by the Yalamlam or Rabigh must assume *Ihram* when they pass by these two starting points.

Q. 463. What is the ruling on passing the starting point without *Ihram*?

A. The one who passes by a starting point without assuming *Ihram* is either one of the following two: Either he intends to perform *Hajj* or *'Umrah*, in which case, he is required to return to it and assume *Ihram* from it, stating which rite he intends to perform, *Hajj* or *'Umrah*. If he does not do so, he has abandoned an obligatory act and according to the scholars, he is required to offer a ransom of blood for it by sacrificing a sheep in Makkah and distributing it among the poor and needy there.

But if he passed by it and he did not intend to perform *Hajj* or *'Umrah*, then there is nothing incumbent upon him, whether the period of his absence from Makkah was extended or short. This is because if we ordered him to assume *Ihram* from the starting point which he had passed, it would make the performance of *Hajj* or *'Umrah* incumbent upon him more than once. It is confirmed from the Prophet ﷺ that *Hajj* is only obligatory once in a lifetime and that anything more than this is a voluntary act. This is the most authoritative opinion from among the sayings of the scholars regarding one who passes by

the starting points without *Ihram*, i.e. that if he did not intend to perform *Hajj* or *'Umrah*, then there is nothing incumbent upon him, and he is not required to assume *Ihram* from the starting point.

Q. 464. Is the intention to begin the rites (of *Hajj* or *'Umrah*) the one which is spoken during the *Talbiyyah*?

A. The *Talbiyyah* is to say: *Labbaika 'Umratan* (I respond to Your call to perform *'Umrah*) for *'Umrah*, and *Labbaika Hajjan* (I respond to Your call to perform *Hajj*) for *Hajj*. As for the intention, it is not permissible to pronounce it aloud, so one should not say for example: *Allâhumma, Inni Uridul-'Umrah* (Oh, Allâh! I intend to perform *'Umrah*) or: *Uridul-Hajj* (I intend to perform *Hajj*), because this has not been reported from the Prophet ﷺ.

Q. 465. What is the correct manner of assuming *Ihram* for one approaching Makkah by air?

A. The *Ihram* of one approaching Makkah by air must be assumed by him as soon as he passes over the starting point (*Miqat*). Accordingly, he should prepare by performing *Ghusl* in his house, then don the garments of *Ihram* before reaching the starting point. From the moment he reaches the starting point, he should make the intention to begin the rites and he should not delay, because the airplane moves quickly, so in one minute, it might traverse a great distance. This is a matter of which some people are ignorant; one finds some of them unprepared so when the employee on the airplane announces that they have reached the starting point, they go and remove their clothes and don the garments of *Ihram*. This is extreme negligence, because it would appear that the employees on airplanes warn the people a quarter of an hour or thereabouts before they reach the starting point, and this is a deed for which they should be thanked, because if they warn them before this time, it gives them an opportunity to change their clothing and

prepare themselves. But in these circumstances, it is desirable, indeed it is incumbent upon one who intends to assume *Ihram* to pay attention to the time, so that if the airline employee announces that a quarter of an hour remains, he should look at his watch, in order that when a quarter of an hour has passed, or two or three minutes before it has passed, he may say the *Talbiyyah* according the rites which he intends to perform.

Q. 466. What is the ruling on a person who passes the starting point without assuming *Ihram* when he intends to perform *'Umrah*?

A. It is incumbent, if a person intends to perform *Hajj* or *'Umrah,* and he reaches the starting point, not to pass by it without assuming *Ihram* there. The Prophet ﷺ said:

«يُهِلُّ أَهْلُ الْمَدِينَةِ مِنْ ذِي الْحُلَيْفَةِ»

"The people of Al-Madinah should begin (their Ihram) from Thul-Hulaifah."[1]

The word *Yuhillu* (to say *Talbiyyah* and assume *Ihram*) is informative, meaning that it is a command, so based upon this, it is an obligation upon a person who wishes to perform *Hajj* or *'Umrah,* when he reaches the starting point, to say the *Talbiyyah* and assume *Ihram*, he must not pass by it. If he does so, he must return and assume *Ihram* from it; and if he returns to it and assumes *Ihram*, there is no ransom incumbent upon him, and if he assumes *Ihram* from where he is and does not return, according to the scholars, he must pay a ransom, which is to slaughter a sheep and divide it among the poor in Makkah.

[1] Reported by Al-Bukhari in the Book of *Hajj*, in the Chapter: The *Miqat* for the People of Al-Madinah (1525).

A Letter: How Should a Person Pray and Assume *Ihram* in an Airplane?

In the Name of Allâh, the Most Gracious, the Most Merciful.

All praise and thanks are to Allâh, the Lord of the worlds, and I send prayers and blessings on our Prophet, Muhammad and upon all his family and Companions.

How Should a Person Pray in an Airplane?

1. He should offer the voluntary prayers in an airplane while he is sitting in his seat in whatever direction the airplane was facing, indicating the bowing and prostrating (by inclining his head), making the prostration lower than the bowing.

2. He should not offer the obligatory prayers in an airplane, unless he is able to face towards the *Qiblah* throughout the whole of the prayer and he is also able to bow, prostrate, stand and sit.

3. If he is unable to do that, he should delay the prayer until he lands at the airport and then pray on the ground. If he fears that the time for the prayer will expire before the airplane lands, he should delay it until the time of the next prayer. This is the case if it is one of those prayers that may be combined with another, such as *Zuhr* with *'Asr* or *Maghrib* with *'Isha'*. If he fears that the time for the next prayer will expire, he should pray them both in the airplane before the time ends and perform whatever conditions, pillars and obligations of the prayer he is able to. For example: If the airplane took off just before sunset and the sun set while he was in the air, then he should not offer the *Maghrib* prayer until the airplane lands at the airport, he disembarks, and then prays on the ground. But if he fears that the time for offering the *Maghrib* prayer will expire, he should delay it until the time of *'Isha'* and offer them both together, combining them and delaying the *Maghrib* prayer until

the time of the *'Isha'* prayer after he descends. But if he fears that the time for the *'Isha'* prayer will expire – and it expires at midnight – he should offer them before the time expires in the airplane.

4. The manner of performing the obligatory prayer in the airplane is to stand facing the *Qiblah* and make the *Takbir*. Then he recites *Surat Al-Fatihah* and the words which it is prescribed to recite before it, such as the opening supplication (*Du'a Al-Istiftah*) and some Qur'ânic Verses after it. Then he should bow, then straighten up from bowing, and relax in a standing position, then prostrate, then straighten up from prostration, and relax in a sitting position, then prostrate again, then do likewise in the remainder of the prayer. If he is unable to prostrate, he should sit and indicate the prostration while sitting, and if he does not know the *Qiblah*, and no one reliable can inform him of it, he should use his judgement and try to ascertain it, then pray according to his judgement.

5. The prayer of the traveller in an airplane is shortened, so he performs the four *Rak'ah* prayer as two *Rak'ahs* like other travellers.

How Should a Person Who is Travelling by Airplane Assume *Ihram* for *Hajj* and *'Umrah*?

1. He should perform *Ghusl* in his house and remain in his normal clothing, or if he wishes, he may don the garments of *Ihram*.

2. Once the airplane is close to passing over the starting point, he should don the garments of *Ihram*, if he has not done so already.

3. When the airplane passes over the starting point, he should make the intention for commencing the rites and say the *Talbiyyah* according to his intention either *Hajj* or *'Umrah*.

4. If he assumes *Ihram* before passing over the starting point as a precaution, being fearful of remissness or forgetfulness, then there is no objection.

Q. 467. If a person travelled from his country to Jeddah, then he desired to perform *'Umrah*, may he assume *Ihram* from Jeddah?

A. A person (who does so) will not fall outside two possible situations:

1. That the person travelled to Jeddah without the intention to perform *'Umrah*, but unexpectedly, the opportunity to perform *'Umrah* came to him when he was in Jeddah. In that case, he may assume *Ihram* from Jeddah and there is no sin upon him in that, according to the *Hadith* of Ibn 'Abbas, may Allâh be pleased with them, in which the Prophet ﷺ mentioned the starting places and he said:

«وَمَنْ كَانَ دُونَ ذَلِكَ فَمِنْ حَيْثُ أَنْشَأَ ، حَتَّى أَهْلُ مَكَّةَ مِنْ مَكَّةَ»

"And whoever is from other than them may assume Ihram from his dwelling place, even the people of Makkah may do so from Makkah."[1]

2. That he travelled from his country determinedly with the intention of performing *'Umrah*, in which case, he must assume *Ihram* from the starting point which he passes over. It is not permissible to assume *Ihram* from Jeddah, because it is a place other than the *Miqat* and it is confirmed from the Prophet ﷺ that he defined the starting points saying:

«هُنَّ لَهُنَّ وَلِمَنْ مَرَّ عَلَيْهِنَّ مِنْ غَيْرِ أَهْلِهِنَّ لِمَنْ أَرَادَ الْحَجَّ وَالْعُمْرَةَ»

"They are for those living at those very places, and besides them for those who come through those places with the intention of performing Hajj and 'Umrah."[2]

[1] Reported by Al-Bukhari in the Book of *Hajj*, in the Chapter: The Place for Assuming *Ihram* for the People of Makkah for the Purpose of *Hajj* or *'Umrah* (1529).

[2] Reported by Al-Bukhari in the Book of *Hajj*, in the Chapter: The Place for Assuming *Ihram* for Those Who Come From Other Than the *Mawaqit* (1529).

So, if he assumed *Ihram* from Jeddah and went to Makkah in these circumstances, then according to the scholars, he is obliged to offer a blood ransom (i.e. a sheep) which he should slaughter in Makkah and give as charity to the poor, and his *'Umrah* will be valid. If he did not assume *Ihram* from Jeddah after arriving there and he had intended to perform *'Umrah* before his arrival, then he should return to the starting point and assume *Ihram* from it, in which case, there is nothing incumbent upon him.

Q. 468. What is the ruling on a person in a state of *Ihram* performing *Ghusl* after donning the garments of *Ihram*?

A. There is no objection to a person in a state of *Ihram* performing *Ghusl*, as this has been confirmed from the Prophet ﷺ whether he performed *Ghusl* once or twice. However, he must perform *Ghusl* if he has a nocturnal emission while he is in a state of *Ihram* and he must perform *Ghusl* due to major ritual impurity (*Janabah*). As for performing *Ghusl* for the purpose of assuming *Ihram*, it is a *Sunnah*.

Q. 469. What is the ruling on performing *Hajj* on behalf of a deceased person if it was the grandfather of a man and he had already performed *Hajj* for himself?

A. There is no sin in a person performing *Hajj* on behalf of his grandfather who had not performed *Hajj*, because that has been reported in the *Sunnah* from the Prophet ﷺ.

Q. 470. Is there a special prayer for *Ihram*?

A. There is no special prayer for *Ihram*. If a person arrives at the starting point (for *Hajj* or *'Umrah*) and it is close to the time for offering an obligatory prayer, then it is better to delay assuming *Ihram* until he offers the obligatory prayer, then assume *Ihram*. But if he reached the starting point at a time when no obligatory prayer is due, then as is well known, he should

perform *Ghusl* as he would perform *Ghusl* due to major ritual impurity, wear perfume and don the garments of *Ihram*. Then if he wishes, he may offer the forenoon (*Duha*) prayer if it is the time for it, or he may offer the *Sunnah* of ablution if it is not the time for the forenoon prayer, and assume *Ihram* after that, and that is better. As for there being a special prayer for *Ihram*, that has not been reported from the Prophet ﷺ.

Q. 471. If a person performed *'Umrah* during the months of *Hajj*, then travelled to Al-Madinah and assumed *Ihram* from Abyar 'Ali (i.e. Thul-Hulaifah), will he be considered *Mutamatti'*?[1]

A. As long as this man, when he performed *'Umrah* in the months of *Hajj* had intended to perform *Hajj* in the same year, then he will be considered *Mutamatti'*. This is because his journey between *'Umrah* and *Hajj* does not invalidate *Tamattu'* unless he returned to his country and began the journey to *Hajj* from his country; in that case, the *Tamattu'* is cut off, because he has made a separate journey for each rite. So, this person who went to Al-Madinah after performing *'Umrah* and then assumed *Ihram* for *Hajj* from Abyar 'Ali, he must sacrifice an animal for *Tamattu'*, according to the general meaning of the Words of Allâh, the Most High:

﴿فَمَن تَمَتَّعَ بِٱلْعُمْرَةِ إِلَى ٱلْحَجِّ فَمَا ٱسْتَيْسَرَ مِنَ ٱلْهَدْيِ﴾

"And whosoever performs the 'Umrah in the months of Hajj, before (performing) the Hajj, (i.e. Hajjut-Tamattu' and Al-Qiran), he must slaughter a Hady such as he can afford."[2]

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[1] *Mutamatti'*: One who is performing *Hajjut-Tamattu'* (*'Umrah* and *Hajj* performed within the months of *Hajj* with a break in between them).

[2] *Al-Baqarah* 2:196

Q. 472. If a person assumed *Ihram* for *'Umrah* in the month of *Shawwal* and performed it while not intending to perform *Hajj*, then *Hajj* became possible for him, is he considered to be *Mutamatti'*?

A. He is not *Mutamatti'*, so he is not required to sacrifice an animal.

Q. 473. What is the *Talbiyyah* which was authentically reported from the Prophet ﷺ? And when should the *Talbiyyah* be stopped in *'Umrah* and *Hajj*?

A. The *Talbiyyah* which was authentically reported from the Prophet ﷺ is to say: *Labbaik Allâhumma Labbaik; Labbaika La Sharika Laka Labbaik; Innal-Hamda Wan-Ni'mata Laka Wal-Mulk; La Sharika Lak* (I answer Your call, Oh, Allâh! I answer Your call. I answer Your call and You have no partners, I answer Your call. Verily, Allâh praise and thanks and grace belong to You and Yours is the dominion; You have no partners!)[1]

Imam Ahmad, may Allâh have mercy on him, reported the addition: *Labbaika Ilahal-Haqq* (I answer Your call, God of Truth).[2] And its chain of narrators is *Hasan*.

The *Talbiyyah* is stopped during *'Umrah* when one begins the *Tawaf* and in *Hajj* when one begins stoning *Jamratul-'Aqabah* on the day of *'Eid*.[3] According to the *Hadith* of Ibn 'Abbas, may Allâh be pleased with them, which was recorded by At-Tirmithi, he narrates that the Prophet ﷺ used to continue the *Talbiyyah* in

[1] Reported by Al-Bukhari in the Book of *Hajj*, in the Chapter: The *Talbiyyah* (1549); and by Muslim in the Book of *Hajj*, in the Chapter: The *Talbiyyah* and its Description (1184).

[2] Reported by Imam Ahmad.

[3] *Jamrat Al-'Aqabah*: A *Jamrah* is a small stone-built pillar in a walled place. There are three situated in Mina. One of the rites of *Hajj* is to throw pebbles at them on the four days of *'Eidul-Adha* and *Jamratul-'Aqabah* is one of them.

'Umrah until he touched the (Black) Stone.[1]

At-Tirmithi said it was *Sahih*, but in its chain of narrators there is a man named Muhammad bin 'Abdur-Rahman bin Abi Laila who has been declared weak by the majority of scholars.

It is reported on the authority of Ibn 'Abbas, may Allâh be pleased with them, that Usamah, may Allâh be pleased with him, was riding behind the Prophet ﷺ going from 'Arafah to Al-Muzdalifah, then Al-Fadl, may Allâh be pleased with him, rode behind him from Al-Muzdalifah to Mina and both of them said: "He continued to make the *Talbiyyah* until he stoned *Jamratul-'Aqabah*."[2] This was reported by Al-Bukhari and Muslim in the *Two Sahihs*. According to Malik, the *Talbiyyah* should be stopped in *'Umrah* when one reaches the Sacred Precincts and it was also said that one should stop when one reaches the House or when one sees it. And the meaning of *Labbaika* is: I am acting in obedience to You and answering Your call; the wording of the verb is in the dual form meaning much (obedience).

Q. 474. Is it permissible for one in a state of *Ihram* to comb his hair?

A. A person in a state of *Ihram* should not comb his hair, because what is desirable for a person in a state of *Ihram* is to have unkempt hair and to be covered in dust. There is no sin upon him in washing it, but as for combing it, it is liable to cause hair to fall. But if hair fell from a person in a state of *Ihram* without him intending it – either due to him scratching his head or rubbing it – then there is no sin upon him in that, because he did not intend to remove it. It should be known that

[1] Reported by Abu Dawud in the Book of (*Hajj*) Rites, in the Chapter: When Should the One Performing *'Umrah* Stop Making the *Talbiyyah*? (1919).

[2] Reported by Al-Bukhari in the Book of *Hajj*, in the Chapter: Mounting a Riding Beast and Riding in the Rear During *Hajj* (1543).

if a person in the state of *Ihram* unintentionally does due to a mistake or forgetfulness, any of the things which are proscribed for him there is no sin upon him in that, because Allâh, the Most Glorified, the Most High says in His Book:

﴿وَلَيْسَ عَلَيْكُمْ جُنَاحٌ فِيمَآ أَخْطَأْتُم بِهِۦ وَلَٰكِن مَّا تَعَمَّدَتْ قُلُوبُكُمْ وَكَانَ ٱللَّهُ غَفُورًا رَّحِيمًا﴾

"And there is no sin on you concerning that in which you made a mistake, except in regard to what your hearts deliberately intend. And Allah is Ever Oft-Forgiving, Most Merciful."[1]

And He, the Most Glorified, the Most High says:

﴿رَبَّنَا لَا تُؤَاخِذْنَآ إِن نَّسِينَآ أَوْ أَخْطَأْنَا﴾

"Our Lord! Punish us not if we forget or fall into error."[2]

And (when a person calls upon Allâh with these Words,) He the Most High says: "I have done so."

Regarding the matter of hunting which is one of the things which is proscribed for a person in a state of *Ihram*, the Allâh, the Most High says:

﴿يَٰٓأَيُّهَا ٱلَّذِينَ ءَامَنُوا۟ لَا تَقْتُلُوا۟ ٱلصَّيْدَ وَأَنتُمْ حُرُمٌ وَمَن قَتَلَهُۥ مِنكُم مُّتَعَمِّدًا فَجَزَآءٌ مِّثْلُ مَا قَتَلَ مِنَ ٱلنَّعَمِ يَحْكُمُ بِهِۦ ذَوَا عَدْلٍ مِّنكُمْ﴾

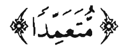
"O you who believe! Kill not the game while you are in a state of Ihram [for Hajj or 'Umrah (pilgrimage)], and whosoever of you kills it intentionally, the penalty is an offering brought to the Ka'bah, of an eatable animal (i.e. sheep, goat, cow) equivalent to the one he killed, as adjudged by two just men among you;."[3]

This stipulation, which is the Saying of Allâh, the Most High:

[1] *Al-Ahzab* 33:5

[2] *Al-Baqarah* 2:286

[3] *Al-Ma'idah* 5:95



"intentionally."

informs us that there is no penalty upon one who kills it unintentionally; and this stipulation is one of avoidance, because it is a stipulation which is relevant to the ruling. This is because it is the person who does it intentionally who is deserving of the application of the penalty, whereas one who did not do it intentionally is not deserving of the application of the penalty. It is known of this Islamic religion that it is a religion of tolerance and ease, and so based upon this, we say that if a person in a state of *Ihram* commits any of the acts which are proscribed for him due to ignorance or forgetfulness, then none of their rulings are imposed upon him as a result of it, neither the obligation to pay a ransom nor the invalidation of the rite in the case of an act which (normally) invalidates the rite, such as sexual intercourse or anything else. This is what is necessitated by the evidences of the Islamic Law that we have indicated.

Q.475. A *Hajj* pilgrim shortened some of his hair due to ignorance and then left the state of *Ihram*; what should he do?

A. There is nothing incumbent upon this *Hajj* pilgrim who shortened some of his hair due to ignorance and then left the state of *Ihram*, because he was ignorant, but he is still obliged to complete the cutting of the hair on his head.

I would like to take this opportunity to advise my brothers that if they desire to perform any act of worship, they should not embark upon it until they know the limits set by Allâh, the Almighty, the All-Powerful therein, so that they do not do something which offends against this act of worship. Allâh, the Most High said to His Prophet ﷺ:

﴿قُلْ هَٰذِهِۦ سَبِيلِىٓ أَدْعُوٓا۟ إِلَى ٱللَّهِ ۚ عَلَىٰ بَصِيرَةٍ أَنَا۠ وَمَنِ ٱتَّبَعَنِى ۖ وَسُبْحَٰنَ ٱللَّهِ وَمَآ أَنَا۠ مِنَ ٱلْمُشْرِكِينَ﴾

"Say (O Muhammad ﷺ): This is my way; I invite unto Allah (i.e. to the Oneness of Allah — Islamic Monotheism) with sure knowledge, I and whosoever follows me (also must invite others to Allah, i.e. to the Oneness of Allah — Islamic Monotheism with sure knowledge). And Glorified and Exalted is Allah (above all that they associate as partners with Him). And I am not of the Mushrikun (polytheists, pagans, idolaters and disbelievers in the Oneness of Allah; those who worship others along with Allah or set up rivals or partners to Allah)."[1]

And the Words of Him, the Most High:

﴿قُلْ هَلْ يَسْتَوِى ٱلَّذِينَ يَعْلَمُونَ وَٱلَّذِينَ لَا يَعْلَمُونَ ۗ إِنَّمَا يَتَذَكَّرُ أُو۟لُوا۟ ٱلْأَلْبَٰبِ﴾

"Say: 'Are those who know equal to those who know not?' It is only men of understanding who will remember (i.e. get a lesson from Allah's Signs and Verses)."[2]

So, for a person to worship Allâh, the Almighty, the All-Powerful while he is well informed and knowledgeable regarding the limits set by Him is much better than for him to worship Allâh, the Most Glorified, the Most High in a state of ignorance, simply imitating people who may know or may not know.

Q. 476. If a person from a distant land entered Makkah without *Ihram* in order to deceive those in authority into believing that he was not intending to perform *Hajj*, then he assumed *Ihram* from Makkah, is his *Hajj* valid? Deliver a legal verdict for us, may Allâh reward you with goodness for advising us and all of the Muslims.

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[1] *Yusuf* 12:108

[2] *Az-Zumar* 39:9

A. As for his *Hajj*, it is valid, but as for his action, it is unlawful for two reasons:

1. That he infringed the limits set by Allâh, the Most Glorified, the Most High by not assuming *Ihram* from the starting point (*Miqat*).

2. Disobeying the order of those in authority whom we have been commanded to obey in matters which do not involve disobedience to Allâh. Because of this, he should repent to Allâh and seek forgiveness from Him for what he has done, and he must pay a ransom which is to sacrifice an animal in Makkah and distribute its meat among the poor, due to his failure to assume *Ihram* from the starting point. This is based upon what has been said by the scholars regarding a person who fails to implement one of the obligatory acts of *Hajj* or *'Umrah*.

Q. 477. If a *Mutamatti'* returned to his country, then began a journey to *Hajj* from his country, is he considered a *Mufrid*?[1]

A. Yes, if the *Mutamatti'* returns to his country, then embarks upon a journey from his country to perform *Hajj*, then he is a *Mufrid*; this is due to the break between the *'Umrah* and *Hajj* caused by his return to his family. So, his embarking on a journey means that he has started a fresh journey for *Hajj*. In that case his *Hajj* will be *Ifrad* and so he is not obliged to bring the sacrificial animal of *Tamattu'*. But if he did so as a ploy in order to remove the obligation of bringing a sacrificial animal with him, then it will not be removed from him, because employing a stratagem in order to remove an obligation does not cause it to be removed, just as using a trick in order to remove *Ihram* will not mean that he has lawfully exited it.

[1] *Mufrid*: One who performs *Hajjul-Ifrad*, which is *Hajj* alone without *'Umrah*.

Q. 478. What is the ruling on a person in the state of *Ihram* carrying an umbrella or a belt, bearing in mind that they are stitched?

A. There is no objection to a person carrying an umbrella over his head in order to protect himself from the heat of the sun. There is no sin in it, nor is it included in the covering of the head which was prohibited by the Prophet ﷺ, i.e. a man's head, because this is not a covering, rather it is something that shades from the sun and the heat.

It is confirmed in *Sahih Muslim* that Usamah bin Zaid and Bilal, may Allâh be pleased with them, were with the Prophet ﷺ and one of them took his she-camel by its muzzle and the other raised a garment in order to shield him from the heat until he had stoned *Jamratul-'Aqabah*.[1] And in another version: and the other raised his garment over the head of the Messenger of Allâh ﷺ to protect him from the sun. This is evidence that the Prophet ﷺ shaded himself with this garment while he was in a state of *Ihram*, before leaving it.

As for placing a belt over the *Izar*, there is no objection to it, nor is there any sin in it. The saying of the questioner 'bearing in mind that they are stitched' is based upon a misunderstanding on the part of some of the common folk, which is that they think that the meaning of the saying of the scholars: It is forbidden for a person in a state of *Ihram* to wear stitched garments is anything which has stitches in it. That is not the case; rather what the scholars mean by wearing stitched garments is those garments which are composed of pieces and are worn ordinarily, such as a shirt, trousers, a vest and such like. They did not mean merely everything that contains stitches. For this reason, if a person

[1] Reported by Muslim in the Book of *Hajj*, in the Chapter: The Recommendation of Stoning *Jamratul-'Aqabah* on the Day of Slaughter While Riding (1298).

assumed *Ihram* by wearing a *Rida'* and or an *Izar* which was patched, there would be no objection to him doing so, even though he had stitched it together.

Q. 479. If a person was disabled and was unable to wear the garments of *Ihram*, what should he do?

A. If a person is unable to wear the garments of *Ihram*, then he should wear whatever other clothes he is able to wear. According to the scholars, he must either slaughter a sheep in Makkah and distribute it amongst the poor, or feed six destitute persons, giving each of them half a *Sa'*, or he must fast for three days. This is what the scholars have said, making an analogy with what has been reported regarding shaving the head. Allâh, the Most High says:

﴿فَمَن كَانَ مِنكُم مَّرِيضًا أَوْ بِهِۦٓ أَذًى مِّن رَّأْسِهِۦ فَفِدْيَةٌ مِّن صِيَامٍ أَوْ صَدَقَةٍ أَوْ نُسُكٍ﴾

"And whosoever of you is ill or has an ailment in his scalp (necessitating shaving), he must pay a Fidyah (ransom) of either observing Saum (fasts) (three days) or giving Sadaqah (charity — feeding six poor persons) or offering sacrifice (one sheep)."[1]

And the Prophet ﷺ explained the manner of the fasting and charity as we have said.

Q. 480. What is the ruling on a person who had sexual intercourse when he was in a state of *Ihram* for *Hajj*, but he did so due to ignorance of the fact that it is unlawful?

A. It is well known that sexual intercourse is one of the things which is unlawful for a person who is in a state of *Ihram*; indeed it is one of the greatest of unlawful acts for one who is in a state of *Ihram*. Allâh, the Most High says:

[1] *Al-Baqarah* 2:196

﴿ٱلْحَجُّ أَشْهُرٌ مَّعْلُومَٰتٌ ۚ فَمَن فَرَضَ فِيهِنَّ ٱلْحَجَّ فَلَا رَفَثَ وَلَا فُسُوقَ وَلَا جِدَالَ فِى ٱلْحَجِّ﴾

"The Hajj (pilgrimage) is (in) the well-known (lunar year) months (i.e. the 10th month, the 11th month and the first ten days of the 12th month of the Islamic calendar, i.e. two months and ten days). So whosoever intends to perform Hajj therein (by assuming Ihram), then he should not have sexual relations (with his wife), nor commit sin, nor dispute unjustly during the Hajj."[1]

What is intended by the word *Ar-Rafath* is sexual intercourse and sexual foreplay. Sexual intercourse is therefore the greatest of unlawful acts for one who is in a state of *Ihram*. So, if a person has sexual intercourse while he is in a state of *Ihram* for *Hajj*, it will be either before the first *Tahallul*[2] or after the first *Tahallul*. If it is before the first *Tahallul*, then certain things arise as a consequence of it:

1. The invalidity of the rite, since it will neither be counted as a voluntary *Hajj* nor an obligatory one for him.

2. The sin.

3. The obligation to continue; that is, he must carry on with it and complete it in spite of it being invalid, and this invalid rite remains the same as a valid rite with regard to all of its rulings.

4. The obligation to make it up the following year, whether it was a compulsory *Hajj* or a voluntary one. If it was a compulsory one, the obligation to make up for it is clear, because the *Hajj* in which he had sexual intercourse does not fulfill his obligation (since it was invalid). As for the case if it was a voluntary *Hajj*, it is because it is compulsory to continue performing a voluntary *Hajj*, according to the Words of Allâh, the Most High:

﴿وَأَتِمُّوا۟ ٱلْحَجَّ وَٱلْعُمْرَةَ لِلَّهِ ۚ﴾

[1] *Al-Baqarah* 2:197

[2] *Tahallul*: When one leaves the state of *Ihram*.

"And perform properly the Hajj and 'Umrah for Allah."[1]

And Allâh called the involvement in *Hajj* as obligatory" and said:

﴿ٱلْحَجُّ أَشْهُرٌ مَّعْلُومَـٰتٌ ۚ فَمَن فَرَضَ فِيهِنَّ ٱلْحَجَّ﴾

"The Hajj (pilgrimage) is (in) the well-known (lunar year) months (i.e. the 10th month, the 11th month and the first ten days of the 12th month of the Islamic calendar, i.e. two months and ten days). So whosoever intends to perform Hajj therein (by assuming Ihram),"[2]

For this reason, we say that it is obligatory for him to make up for this invalid *Hajj*, whether it was a compulsory one or a voluntary one.

5. One of the things which is incumbent upon him as a result is that he sacrifices a camel as an atonement for what he has done, and he distributes it among the poor; and if he sacrifices seven sheep instead of it, there is no objection. This is the ruling on sexual intercourse before the first *Tahallul*.

But if the sexual intercourse took place after the first *Tahallul*, then the result of it is a sin, and the invalidity of the *Ihram* only. So, it is incumbent upon him to sacrifice a sheep and distribute it amongst the poor, or feed six destitute persons, giving each of them half a *Sa'* of wheat or something else, or he must fast for three days. He may choose between these three things and he must renew his *Ihram* and go to the nearest starting point and begin his *Ihram* from it in order to perform *Tawaful-Ifadah* while in a state of *Ihram*. This is what our scholars of Islamic Jurisprudence have said.

If it was asked: When does the first *Tahallul* take place? We say: The first *Tahallul* takes place with the stoning of *Jamratul-'Aqabah* on *'Eid* day, and shaving the head or shortening the hair. And the first *Tahallul* makes it lawful to do all of the things

[1] *Al-Baqarah* 2:196

[2] *Al-Baqarah* 2:197

proscribed to the *Muhrim* except (sexual intercourse with) women. 'Aishah, may Allâh be pleased with her, said: "I used to apply perfume to the Prophet ﷺ for his *Ihram* before he began it, and for his ending it, before he circumambulated the House."[1] This *Hadith* is an evidence that leaving the state of *Ihram* is followed by *Tawaf* of the House, and it necessitates that the shaving take place before leaving the state of *Ihram* as we have already determined, that the first *Tahallul* takes place at the time of the stoning of *Jamratul-'Aqabah* on the day of *'Eid* along with the shaving of the head or shortening of the hair. So, sexual intercourse which takes place before that, entails the five things which we have already mentioned; and the sexual intercourse which takes place after it, entails the sin and invalidation of *Ihram* which we have mentioned, without the rite (of *Hajj*) being invalidated and the obligation to pay a ransom or to feed the poor or fast whether in Makkah or somewhere else and whether on consecutive days or separately.

If this person was ignorant, meaning that he did not know that this thing was unlawful, then there is nothing incumbent upon him whether it was before the first *Tahallul* or after it, because Allâh, the Almighty, the All-Powerful says:

﴿رَبَّنَا لَا تُؤَاخِذْنَآ إِن نَّسِينَآ أَوْ أَخْطَأْنَا﴾

"Our Lord! Punish us not if we forget or fall into error."[2]

And (when a person calls upon Allâh with these Words) Allâh says: "I have done so." And He, the Most High says:

﴿وَلَيْسَ عَلَيْكُمْ جُنَاحٌ فِيمَآ أَخْطَأْتُم بِهِۦ وَلَٰكِن مَّا تَعَمَّدَتْ قُلُوبُكُمْ وَكَانَ ٱللَّهُ غَفُورًا رَّحِيمًا﴾

[1] Reported by Al-Bukhari in the Book of *Hajj*, in the Chapter: Applying Perfume When Assuming *Ihram* (1539); and by Muslim in the Book of *Hajj*, in the Chapter: Perfume for the Person Assuming *Ihram* (1189).

[2] *Al-Baqarah* 2:286

"And there is no sin on you concerning that in which you made a mistake, except in regard to what your hearts deliberately intend. And Allah is Ever Oft-Forgiving, Most Merciful."[1]

And if it was said: If this man knew that sexual intercourse was unlawful while in a state of *Ihram*, but he did not know that it entails all of these things, and if he had known that it would result in all of these things, he would not have done it, is this an excuse?

The answer: This is not an excuse, because an excuse is that the person is ignorant of the ruling, that he does not know that this thing is unlawful. As for ignorance of what the action entails, this is not an excuse. This is why, if a *Muhsan*[2] knows that adultery is unlawful (and he commits it) and he is of age, and rational and the conditions of being a *Muhsan* are fulfilled regarding him, he must be stoned, even if he said: 'I did not know that the punishment is stoning; if I had known that the punishment was stoning, I would not have done it,' we would say to him: 'This is not an excuse, so you must be stoned, even though you did not know what the punishment for adultery is.'

This is why when the man that had sexual intercourse during the daylight hours in Ramadan came to seek a verdict from the Prophet ﷺ regarding what was incumbent upon him, the Prophet ﷺ obliged him to atone for it, even though at the time when he had sexual intercourse, he was ignorant of what was incumbent upon him. This proves that if a person commits an act of disobedience and infringes the limits set by Allâh, the Almighty, the All-Powerful, the results of this act of disobedience are effected upon him, even if he was unaware of the results of it when he did it.

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[1] *Al-Ahzab* 33:5

[2] *Muhsan*: A married, divorced or widowed man, according to the most authoritative opinion.

Q. 481. How should a woman in a state of *Ihram* wear the *Hijab*? And is it a condition that the cover does not touch her face?

A. If a woman in a state of *Ihram* passes by men who are not *Mahrams* for her, or such men pass by her, she is required to cover her face as the wives of the Companions, may Allâh be pleased with them, used to do. And in this case, there is no ransom incumbent upon her, for this is something which is commanded and that which is commanded cannot be changed into something prohibited.

It is not a condition that the cover does not touch the face; indeed, if the cover touches the face, there is no sin upon her, for she is obliged to cover her face as long as she is near men. And if she enters the tent or she is in her house, she may uncover her face, because it is legislated for a woman in a state of *Ihram* to uncover her face.

Q. 482. A woman was performing *Hajj* and her menstrual period began before she had performed the Farewell *Tawaf* (*Tawaful-Wida'*); what is the ruling on this?

A. The ruling on this is that if the woman had performed the *Tawaf* of the return from Mina (*Tawaful-Ifadah*) and then she was afflicted by menstruation after she had completed the rites of *Hajj*, and nothing remained for her to do except the Farewell *Tawaf*, then the obligation to perform it is lifted from her in these circumstances, according to the *Hadith* of Ibn 'Abbas, may Allâh be pleased with them, who said: "The people were ordered that their last obligation be to circumambulate the House, but menstruating women were exempt from it."[1]

[1] Reported by Al-Bukhari in the Book of *Hajj*, in the Chapter: *Tawaful-Wida'* (1756); and by Muslim in the Book of *Hajj*, in the Chapter: The Obligation to Perform *Tawaful-Wida'* and the Exemption of the Menstruating Woman From Performing it (1338).

When it was said to the Prophet ﷺ that Safiyyah bint Huyayy, may Allâh be pleased with her, had begun her menstrual period and that she had already performed *Tawaful-Ifadah* and he said:

«فَانْفِرُوا إِذَنْ»

"Then depart."[1]

So, she was exempt from performing *Tawaful-Wida'*.

As for *Tawaful-Ifadah*, the menstruating woman is not exempt from performing it. So, either she must remain in Makkah until she becomes clean and then perform *Tawaful-Ifadah*, or she must return to her country and remain in a state of *Ihram*, then once she becomes clean, she may return and perform *Tawaful-Ifadah*. In this case, it is better when she returns to perform *'Umrah*, performing *Tawaf* and *Sa'y* and shortening her hair, then perform *Tawaful-Ifadah*. But if this is absolutely impossible for her, then she should place something over her private parts which will prevent the flowing of menstrual blood and the soiling of the *Masjid* thereby, then perform *Tawaf* by virtue of necessity, according to the most authoritative opinion.

Q. 483. A woman assumed *Ihram* with her husband while she was menstruating, and when she became clean, she performed *'Umrah* without a *Mahram*, then she observed some blood after that; what is the ruling on this? Deliver a verdict for us, and may Allâh reward you with goodness for us and for all of the Muslims.

A. We say: It would appear that this woman came to Makkah with her *Mahram*, having entered the state of *Ihram* from the

[1] Reported by Al-Bukhari in the Book of *Hajj*, in the Chapter: If a Woman Menstruates After She Has Performed *Tawaful-Ifadah* (1757); and by Muslim in the Book of *Hajj*, in the Chapter: The Obligation to Perform *Tawaful-Wida'* and the Exemption of Menstruating Women From Performing it (1211).

starting point while she was menstruating, and her *Ihram* from the starting point while she was menstruating was valid, because when Asma' bint 'Umais, may Allâh be pleased with her, sought advice from the Prophet ﷺ when he was in Thul-Hulaifah, she said: "Oh, Messenger of Allâh! I have postpartum bleeding," he said:

«اغْتَسِلِي وَاسْتَثْفِرِي بِثَوْبٍ، وَأَحْرِمِي»

"Perform Ghusl and wrap your private parts in cloth, then assume Ihram."[1]

So, if she arrived in Makkah and became clean, then performed *'Umrah* without a *Mahram*, there is no sin upon her, because she was in the middle of the city. But the return of blood to her after that might cause doubt regarding the state of purification that she saw. So, we say to her: If you are certain that you saw that you had become clean, then your *'Umrah* is valid; but if you are in doubt about it, you should repeat the *'Umrah* once more. But repeating the *'Umrah* once more does not mean that you must return to the *Miqat* and assume *Ihram* once again; we only mean that you should repeat the *Tawaf, Sa'y* and shortening of the hair.

Q. 484. A woman was afflicted by menstruation and she had not yet performed *Tawaful-Ifadah*, and she lives outside the Kingdom, and the time came for her to leave, and she was unable to delay leaving, and it is impossible for her to return to the Kingdom again. What should she do? Deliver a verdict for us, and may Allâh reward you with goodness.

A. If the matter is as stated, that a woman had not performed *Tawaful-Ifadah* when she began to menstruate, and it was

[1] Reported by Muslim in the Book of *Hajj*, in the Chapter: The *Hajj* of the Prophet ﷺ (1218).

impossible for her to remain in Makkah or to return to it if she had travelled before performing the *Tawaf*, in this case, it is permissible for her to do one of two things:

1. Either to use injections which will stop the bleeding and perform the *Tawaf* if there is no danger to her from these injections.

2. Or she may bind herself with bandages in order to prevent the blood being spilled in the *Masjid* and perform the *Tawaf* by virtue of necessity. And this opinion is the most authoritative one which was the chosen view of Shaikhul-Islam Ibn Taimiyyah, may Allâh have mercy on him.

Other than this, she must do one of two things:

1. Either she will continue in what remains of her *Ihram*, so that it is not permissible for her husband to have sexual relations with her, nor may a contract of marriage be made upon her if she is unmarried.

2. Or she will be considered *Muhsarah*[1] and she will slaughter a sacrificial, animal and she will leave her state of *Ihram* and in this case, the *Hajj* will not be counted for her.

Both of these things are difficult: The first is that she continues in what remains of her *Ihram* and the second is that her *Hajj* is not counted for her. So, the most authoritative opinion is that held by Shaikhul-Islam Ibn Taimiyyah, may Allâh have mercy on him, in such a case by virtue of necessity, for Allâh, the Most High has said:

﴿وَمَا جَعَلَ عَلَيْكُمْ فِي ٱلدِّينِ مِنْ حَرَجٍ﴾

"and has not laid upon you in religion any hardship."[2]

And He, the Most High says:

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[1] *Muhsarah*: One who is prevented from completing the rites.

[2] *Al-Hajj* 22:78

﴿يُرِيدُ ٱللَّهُ بِكُمُ ٱلْيُسْرَ وَلَا يُرِيدُ بِكُمُ ٱلْعُسْرَ﴾

"Allah intends for you ease, and He does not want to make things difficult for you."[1]

But if it is possible for the woman to travel then return once she has become clean, then there is no sin upon her in travelling. Then once she becomes clean, she may return and perform the *Tawaf* of *Hajj*. During this period, she will not be permitted to her husband, because she has not made the second *Tahallul*.

Q. 485. A woman assumed *Ihram* for *'Umrah*, then she was afflicted by menstruation and so she left Makkah without performing *'Umrah*; what is incumbent upon her?

A. If a woman assumed *Ihram* for *'Umrah* and then she was afflicted by menses, her *Ihram* is not invalidated and she remains in a state of *Ihram*. A woman who assumed *Ihram* for *'Umrah*, then left Makkah without performing *Tawaf*, and without performing *Sa'y*, is still in her *'Umrah*, so she must return to Makkah and perform *Tawaf* and *Sa'y* and cut her hair, so that she leaves her *Ihram*. Until such time as she completes her *'Umrah*, she must avoid all of those things which are prohibited for a person in a state of *Ihram*, such as wearing perfume, or cutting her hair or her nails, and, she must avoid sexual relations with her husband if she is married. But if she feared that her menstruation would come, so she made it a condition when she assumed *Ihram* that she would be released from her *Ihram* at whatever point she was stopped, in that case, there is nothing incumbent upon her if she leaves her *Ihram*.

Q. 486. Is it permissible for a woman in a state of *Ihram* to change the garment in which she assumed *Ihram*? And are there any special garments for *Ihram*?

[1] *Al-Baqarah* 2:185

A. It is permissible for a woman in a state of *Ihram* to change her garments for other garments, whether it was due to need or not, but on condition that the other garments are not revealing or beautiful in front of men. Accordingly, if she wishes to change any of the clothes she was wearing when she assumed *Ihram*, there is no sin upon her.

There are no special clothes for *Ihram* for a woman; she should wear whatever she wishes, except that she should not wear a *Niqab*, nor should she wear *Quffazan*. A *Niqab* is a veil which covers the face revealing only the eyes, while *Quffazan* are worn on the hands and they are known as socks for the hands (i.e. gloves).

As for a man, there are special *Ihram* garments for him which are the *Izar* and the *Rida'* and he should not wear a shirt, nor trousers, nor should he wear a headdress, nor a hooded cloak, nor leather socks.

Q. 487. Is it permissible for a woman in the state of *Ihram* to wear gloves and socks?

A. As for a woman wearing socks, there is no objection to it, but as for her wearing gloves, the Prophet ﷺ prohibited that, saying regarding a woman in the state of *Ihram*:

«لَا تَلْبَسِ الْقُفَّازَيْنِ»

"She should not wear gloves."[1]

Q. 488. A woman passed by the starting point while she was menstruating and she assumed *Ihram* from it, and went to Makkah and delayed *'Umrah* until she was clean; what is the ruling on her *'Umrah*?

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[1] Reported by Al-Bukhari in the Book of the Penalty for Hunting, in the Chapter: The Wearing of Perfume is Forbidden to the Man and Woman in a State of *Ihram* (1838).

A. The *'Umrah* is valid, even if she delayed it for a day or two, but on condition that it was after she became purified of her menses. This is because it is not lawful for a menstruating woman to circumambulate the House, which is why when 'Aishah, may Allâh be pleased with her, began to menstruate and she was already close to Makkah in a state of *Ihram* for *'Umrah*, the Prophet ﷺ said to her:

«أَحْرِمِي بِالْحَجِّ وَافْعَلِي مَا يَفْعَلُ الْحَاجُّ غَيْرَ أَنْ لَا تَطُوفِي بِالْبَيْتِ»

"Assume Ihram with the intention of performing Hajj and do what the Hajj pilgrim does, except that you should not circumambulate the House."[1]

When Safiyyah, may Allâh be pleased with her, had her period, the Prophet ﷺ said about her:

«أَحَابِسَتُنَا هِيَ؟»

"Will she delay us?"

Thinking that she had not yet performed *Tawaful-Ifadah*. Then they told him that she had already performed *Tawaful-Ifadah*, so he said:

«انْفِرُوا»

"Then depart."[2]

So, it is not permissible for a menstruating woman to circumambulate the House, and if she arrives in Makkah while she is menstruating, she must wait until she becomes purified, then circumambulate the House. But if the menstruation

[1] Reported by Al-Bukhari in the Book of Menstruation, in the Chapter: The Menstruating Woman May Complete all of the Rites Except *Tawaf* (305).

[2] The reference for this *Hadith* has been mentioned previously under no. 482.

occurs after the *Tawaf* of *'Umrah* and before the *Sa'y*, she may complete her *'Umrah* and there will not be anything incumbent upon her. And if menstruation comes to her after *Sa'y*, she is not obliged to make *Tawaful-Wida'*, the obligation to perform *Tawaful-Wida'* is lifted from the menstruating woman.

Q. 489. A woman assumed *Ihram* from the *Miqat* while she was menstruating, then she became clean in Makkah and removed her clothes; what is the ruling on this?

A. If a woman assumes *Ihram* from the *Miqat* while she is menstruating, then she reaches Makkah and becomes purified there, she may change any of her clothes she wishes and wear whatever she wishes, as long as the clothes are of a permissible type. Likewise, it is permissible for a man to change his *Ihram* garments for other *Ihram* garments, and there is no sin upon him.

Q. 490. What is the ruling on covering the face with a *Niqab* in *Hajj*, because I have read a *Hadith* whose meaning is that a woman in the state of *Ihram* should not cover her face, nor should she wear gloves. And I have read another statement attributed to 'Aishah, may Allâh be pleased with her, when they were in *Hajj*, in which she said: "When men passed by us, we used to cover our faces and once, we had passed them, we would uncover our faces." How may we reconcile these two statements?

A. The correct view in this is what is proven by the *Hadith*, and that is the Prophet's prohibition to a woman in a state of *Ihram* from covering her face. So, the woman in *Ihram* is forbidden to wear a *Niqab* in any circumstances, whether unrelated men pass by her or not; accordingly, it is unlawful for a woman in a state of *Ihram* to wear a *Niqab*, whether she is performing *Hajj* or *'Umrah*.

The *Niqab* is well known to women: It is to cover the face with a veil which has two holes for the eyes. As for the *Hadith* of 'Aishah, may Allâh be pleased with her, it does not contradict the prohibition of wearing a *Niqab*, because in the *Hadith* of 'A'shah, may Allâh be pleased with her, it is not mentioned that the women wore the *Niqab*, it only says that they covered their faces, without using a *Niqab*. This is something which is essential if men pass by women; they must cover their faces, because veiling the face from unrelated men is obligatory, so based upon this, we say that wearing the *Niqab* is unlawful for a woman in the state of *Ihram* in any circumstances; as for covering her face, it is better for her to uncover her face, but if men pass near to her, it is obligatory for her to cover it, however, she should do so with something other than a *Niqab*.

Q. 491. If a person, due to forgetfulness or out of ignorance, did something which is proscribed for those in a state of *Ihram*, what is the ruling?

A. If he did something which is proscribed for those in a state *Ihram* after donning the garments of *Ihram*, and he had not yet made the intention, then there is nothing incumbent upon him. But if he had already made the intention and began the rites, then he did something prohibited to a person in the state of *Ihram*, then there is (also) nothing incumbent upon him. However, if the excuse is no longer valid, due to him remembering if he forgot or becoming aware if he was ignorant, he must cease doing that proscribed thing. An example of this would be: If a man forgot and donned an ordinary garment while he was in a state of *Ihram*, there would be no sin upon him, but as soon as he remembered, it would be incumbent upon him to remove the garment. Similarly, if he forgot and left his trousers on, then he remembered after he had made the intention and made the *Talbiyyah*, it would be obligatory for him to remove them immediately and there

would be no sin upon him.

Likewise, if he was ignorant, there is no sin upon him; for example, if he wore a vest in which there was no stitching, but which was woven, believing that what is forbidden is the wearing of something in which there is stitching, then there is no sin upon him. But if it was explained to him that a vest is a type of clothing which it is prohibited to wear, even if it was not made from connected pieces, it is incumbent upon him to remove it.

The general rule regarding all proscribed things for a person in a state of *Ihram* is that if he did them forgetfully, or due to ignorance or coercion, there is no sin upon him, according to the Words of Allâh, the Most High:

﴿رَبَّنَا لَا تُؤَاخِذْنَآ إِن نَّسِينَآ أَوْ أَخْطَأْنَا﴾

"Our Lord! Punish us not if we forget or fall into error."[1]

And (when a person calls upon Allâh with these Words,) Allâh, the Most High says: "I have done so."

He, the Most High says:

﴿وَلَيْسَ عَلَيْكُمْ جُنَاحٌ فِيمَآ أَخْطَأْتُم بِهِۦ وَلَٰكِن مَّا تَعَمَّدَتْ قُلُوبُكُمْ وَكَانَ ٱللَّهُ غَفُورًا رَّحِيمًا﴾

"And there is no sin on you concerning that in which you made a mistake, except in regard to what your hearts deliberately intend. And Allah is Ever Oft-Forgiving, Most Merciful."[2]

And He, the Most High says, regarding hunting which is one of the things prohibited to a person in a state of *Ihram*:

﴿وَمَن قَتَلَهُۥ مِنكُم مُّتَعَمِّدًا﴾

"...and whosoever of you kills it intentionally."[3]

[1] *Al-Baqarah* 2:286

[2] *Al-Ahzab* 33:5

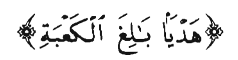
[3] *Al-Ma'idah* 5:95

And there is no difference in this matter, regardless of whether the prohibited thing was wearing clothes or perfume or the like, or killing game, or shaving the head, or the like. Although some of the scholars distinguish between this and that, the correct view is that there is no difference, because they are all things that a person is pardoned for doing, if he did them due to ignorance, forgetfulness or coercion.

Q. 492. A *Hajj* pilgrim committed a mistake during the performance of his *Hajj* rites and he had nothing to atone for them, and he travelled to his country; may he do what is incumbent upon him in his country, or must it be in Makkah? If it must be in Makkah, is it permissible to appoint a proxy?

A. It is essential for us to know what the thing was that occurred. If he left some obligatory act, then he must pay a ransom, which is to slaughter an animal in Makkah, because it is connected to the *Hajj* rites, and it is not accepted other than in Makkah.

If he did something prohibited, then he must do one of three things: Either he must feed six destitute persons in Makkah, or in the place where the prohibited thing was done, or he must fast for three days. In this case, he may fast in Makkah or anywhere else – unless the forbidden thing was sexual intercourse before the first *Tahallul* in *Hajj*. In this case, it is obligatory to sacrifice a camel in the place where he committed the sin, or in Makkah, and distribute it among the poor. If it is the penalty for hunting, then he is obliged to do the same, or to feed (six destitute persons) or fast; and if he fasts, he may do it anywhere, while if it is feeding (the destitute) or sacrifice, then Allâh, the Most High says:



"...an offering, brought to the Ka'bah."[1]

So, it must be within the Sacred Precincts. However, he may appoint someone to do it, because the Prophet ﷺ appointed 'Ali, may Allâh be pleased with him, to slaughter what remained of his sacrificial animals.

Q. 493. Is it permissible to perform *Sa'y* before *Tawaf*?

A. As for performing *Sa'y* before *Tawaful-Ifadah*, it is permissible, because the Prophet ﷺ stopped on the Day of Sacrifice, and the people began to ask him questions. He was asked about performing *Sa'y* before *Tawaf* and he said:

«لَا حَرَجَ»

"There is no harm."[2]

So, if a person is a *Mutamatti'* and he performs *Sa'y* in *Hajj* before *Tawaf*, or if he is a *Mufrid* or a *Qarin*[3] who did not perform *Sa'y* with *Tawaful-Qudum*[4] and he performed *Sa'y* before *Tawaf*, there is no objection to this, according to the statement of the Prophet ﷺ:

«لَا حَرَجَ»

"There is no harm."

Q. 494. What is the ruling on repeating *'Umrah* during Ramadan? And is there any specific time period between the performance of one *'Umrah* and the next?

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[1] *Al-Ma'idah* 5:95

[2] Reported by Al-Bukhari in the Book of *Hajj*, in the Chapter: If a Person Stoned the *Jamrah* After Evening (1734); and by Muslim in the Book of *Hajj*, in the Chapter: Whoever Shaved His Head Before Sacrificing.

[3] *Qarin*: One who combines *Hajj* and *'Umrah* without a break in between.

[4] *Tawaful-Qudum*: The circumambulation of the *Ka'bah* which is made upon arrival.

A. Repeating *'Umrah* during the month of Ramadan is a form of innovation. This is because performing *'Umrah* more than once in the same month contradicts the practice of the *Salaf.*

Indeed, Shaikhul-Islam Ibn Taimiyyah, may Allâh have mercy on him, said in *Al-Fatawa* that it is disliked to perform *'Umrah* repeatedly according to the consensus of the *Salaf,* especially if one repeats it in Ramadan. If it was something that was desirable, then the *Salaf* would have been more conscientious about doing it than we, and they would have repeatedly performed *'Umrah.* The Prophet ﷺ was the person with the most *Taqwa,* and he loved good deeds more than anyone, and he remained in Makkah for nineteen days in the year of its conquest, shortening his prayers, but he did not perform *'Umrah.* When 'Aishah, may Allâh be pleased with her, urged the Prophet ﷺ to let her perform *'Umrah,* he ordered her brother, 'Abdur-Rahman bin Abi Bakr, may Allâh be pleased with them, to go with her from the Sacred Precincts to the starting point, so that she could perform *'Umrah.* He ﷺ did not advise 'Abdur-Rahman, may Allâh be pleased with him, to perform *'Umrah,* and if it were legislated, he would have advised him to do it. If it were known among the Companions, may Allâh be pleased with them, that it was legislated, 'Abdur-Rahman Ibn Abi Bakr, may Allâh be pleased with them, would have done it, because he had gone out to the starting point.

Regarding the specific time between the performance of one *'Umrah* and another, according to Imam Ahmad, may Allâh have mercy on him, he should wait until his head becomes like charred wood, i.e. until his head has become black (until his hair has grown).

Q. 495. What is the ruling if the prayer is begun during *Tawaf*? And is the *Tawaf* repeated (after the prayer), and if it is not repeated, then from what point is it completed?

A. If the prayer begins while a person is performing *Tawaf* in *'Umrah*, or in *Hajj* or in a voluntary *Tawaf*, he should leave his *Tawaf* and pray, then return and complete the *Tawaf* and he should not repeat it from the beginning. He should complete it from the point where he ended it before. There is no need to repeat a circuit from the beginning, because what was performed before is based upon a valid foundation and is in conformity with a legal license, and so it is not possible for it to be invalid unless there is some legal evidence for it.

Q. 496. If a person performing *'Umrah* makes the *Sa'y* before the *Tawaf*, and then he makes *Tawaf*, what is it necessary for him to do?

A. If a person performing *'Umrah* makes the *Sa'y* before the *Tawaf*, then he makes the *Tawaf*, he should not repeat anything except the *Sa'y*. This is because the sequence of *Tawaf* before *Sa'y* is obligatory, because the Messenger of Allâh ﷺ arranged them thus and he said:

«لِتَأْخُذُوا عَنِّي مَنَاسِكَكُمْ»

"You must take your rites from me."[1]

If we take our rites from him, we will begin first of all by making *Tawaf*, then *Sa'y* after that. But if he said: 'I became tired during the first *Sa'y*,' we would say to him that he will be rewarded for his tiredness, and we cannot accept this mistake.

Some of the *Tabi'in* and some of the scholars hold that if he performed *Sa'y* before *Tawaf* in *'Umrah* due to forgetfulness or ignorance, then there is nothing incumbent upon him, just as if it happened in *Hajj*.

[1] Reported by Al-Bukhari in the Book of Knowledge, in the Chapter: To Give a Religious Verdict While Riding on an Animal or Standing on Anything Else (83).

Q. 497. What is meant by *Idtiba'*? And when is it legislated?

A. *Idtiba'* means to uncover the right shoulder and place both ends of the *Rida'* on the left shoulder. It is legislated during *Tawaful-Qudum*; and it is not legislated at any other time.

Q. 498. Is it permissible to perform a voluntary *Sa'y*?

A. It is not permissible to perform a voluntary *Sa'y*, because *Sa'y* is only legislated during the rites of *Hajj* and *'Umrah*, according to the Words of Allâh, the Most High:

﴿إِنَّ ٱلصَّفَا وَٱلْمَرْوَةَ مِن شَعَآئِرِ ٱللَّهِ فَمَنْ حَجَّ ٱلْبَيْتَ أَوِ ٱعْتَمَرَ فَلَا جُنَاحَ عَلَيْهِ أَن يَطَّوَّفَ بِهِمَا وَمَن تَطَوَّعَ خَيْرًا فَإِنَّ ٱللَّهَ شَاكِرٌ عَلِيمٌ﴾

"Verily, As-Safa and Al-Marwah (two mountains in Makkah) are of the Symbols of Allah. So it is not a sin on him who performs Hajj or 'Umrah (pilgrimage) of the House (the Ka'bah at Makkah) to perform the going (Tawaf) between them (As-Safa and Al-Marwah). And whoever does good voluntarily, then verily, Allah is All-Recogniser, All-Knower."[1]

Q. 499. If a person did not perform *Tawaful-Ifadah* due to ignorance, what should he do?

A. *Tawaful-Ifadah* is one of the pillars of *Hajj*, and *Hajj* is not complete unless it is performed. Therefore, if a person did not do it, then his *Hajj* is not complete and he must return to Makkah even from his own country and perform *Tawaful-Ifadah*. In such a case, as long as he has not performed it, he may not have sexual relations with his wife, because he has not made the second *Tahallul*, since he may not make the second *Tahallul* until after he has performed *Tawaful-Ifadah* and *Sa'y* if he is *Mutamatti'*, or he is *Mufrid* or *Qarin* and he did not perform *Sa'y* with *Tawaful-Qudum*.

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[1] *Al-Baqarah* 2:158

Q. 500. I have observed some people while performing *Tawaf* pushing their wives to kiss the Black Stone; which is better: To kiss the Black Stone, or to avoid the crush of men?

A. If the questioner has witnessed this amazing thing, I have witnessed an even more amazing thing: I have seen a person standing up before making the *Taslim* in an obligatory prayer in order to make his way forcefully towards the Black Stone and kiss it. In this way he invalidated his obligatory prayer, which is one of the pillars of Islam, so that he may do this thing which is not obligatory, nor is it legislated unless it is associated with *Tawaf*.

This is from the ignorance of the people, the complete ignorance which regrettably afflicts the people, for kissing the Black Stone is not a *Sunnah*, nor is touching it except in *Tawaf*. I say, regarding this matter, I do not know (of any evidence for it) and I request whoever knows something other than what I know to inform us of it, may Allâh reward him with goodness.

Therefore, it is one of the prescribed *Sunan* of *Tawaf*, and it is not prescribed even then, unless there is no danger to the one making *Tawaf* or to others, in which case we move on to the second alternative which was prescribed by the Messenger of Allâh ﷺ, which is that the person touch the Stone with his hand and then kiss his hand. If this is not possible either, then we go on to the third alternative which was prescribed for us by the Messenger of Allâh ﷺ, which is pointing at it, so we point to it with our hand, not with both our hands, but with one hand, the right hand, we point to it and we do not kiss it (the hand). This was the *Sunnah* of the Messenger of Allâh ﷺ.

If the matter is even more detestable than that, as the questioner has said, that the people push their wives, when the woman might be pregnant or elderly, or a young girl who is incapable, or a child whom he (the father) raises in his hand in

order to kiss the Stone, and all of these things are detested, because they lie somewhere between that which is unlawful and that which is hated. So, a person should not do them since there is, all praise and thanks are to Allâh, room for accommodation in the matter, so make things easy for yourself and do not be strict, or Allâh will be strict with you.

Q. 501. A woman performed *Hajjut-Tamattu'* with her husband, and in the sixth circuit of the *Tawaf* of *'Umrah*, her husband said: 'It is the seventh,' and he insisted on his opinion; is there anything incumbent upon her?

A. If she was positive that she was in the sixth circuit and that she had not completed the *Tawaf*, then her *'Umrah* is not complete until now, because the *Tawaf* is one of the pillars of *'Umrah* and it is not possible to complete *'Umrah* without it. So, if she assumed *Ihram* for *Hajj* after that, she became a *Qarinah*[1] because she had included the *Hajj* with the *'Umrah* before completing it. If she was assailed by doubt when she saw that her husband insisted that this was the seventh circuit, then there is nothing incumbent upon her, because if she was in doubt and her husband was positive, then she should go by the opinion of her husband, since it carries greater weight. And Allâh knows better.

Q. 502. If the person performing *'Umrah* or *Hajj* only knows a few words of supplication, should he recite from the books of supplications during his *Tawaf*, *Sa'y* and other rites?

A. It is sufficient for the *Hajj* or *'Umrah* pilgrim to restrict himself to the supplications which he knows, because when he recites the supplications which he knows, he understands their meaning and he asks Allâh for what he needs in them. But if he

[1] *Qarinah*: A woman performing *Hajjul-Qiran*.

takes a book or a *Hajj* guide who dictates to him things which he does not know about, then that will not benefit him. Many people follow the *Hajj* guide in what he says and they do not know the meaning of what he is saying; and many people take these booklets and recite from them without understanding the meaning of what they are saying. These booklets which have a special supplication for each circuit of the *Tawaf* are innovations which are not permissible for a Muslim to use, because they are a misguidance, and the Prophet ﷺ did not prescribe a different supplication for each circuit. He ﷺ only said:

«إِنَّمَا جُعِلَ الطَّوَافُ بِالْبَيْتِ وَبِالصَّفَا وَالْمَرْوَةِ، وَرَمْيُ الْجِمَارِ لِإِقَامَةِ ذِكْرِ اللهِ»

"Tawaf of the House, As-Safa and Al-Marwah, and stoning the Jimar have only been made incumbent for the remembrance of Allâh."[1]

Since the matter is so, then it is incumbent upon the believer to avoid these booklets and to ask Allâh to give him the things which he needs, and to mention Allâh according to his ability and his knowledge. That is better for him than using these booklets whose meaning he may not understand, indeed, he might not be able to pronounce them, let alone understand them.

Q. 503. Is there a special supplication for *Hajj* and *'Umrah* during *Tawaf, Sa'y* and other rites?

A. There is no special supplication for *Hajj* and *'Umrah*; rather, a person may say any supplication he wishes. But if he acts upon what has been reported from the Prophet ﷺ it is more

[1] Reported by Abu Dawud in the Book of (*Hajj*) Rites, in the Chapter on Running (During *Tawaf*); and by At-Tirmithi in the Chapters on *Hajj*, in the Chapter: What Has Been Said Regarding the Manner of Stoning the *Jimar* 6:64.

complete, such as the supplication at the Yemenite Corner and the Black Stone:

﴿رَبَّنَآ ءَاتِنَا فِى ٱلدُّنْيَا حَسَنَةً وَفِى ٱلْءَاخِرَةِ حَسَنَةً وَقِنَا عَذَابَ ٱلنَّارِ﴾

(Rabbana Aatina Fid-dunya Hasanatan Wa Fil-Akhirati Hasanatan Wa Qina 'Athab an-Nar.)

"Our Lord! Give us in this world that which is good and in the Hereafter that which is good and save us from the chastisement of the Hell-fire."

Likewise the supplication which has been reported regarding the Day of *'Arafah* and the statements of remembrance which have been reported on As-Safa and Al-Marwah and the like. So, he should say whatever supplication he knows from the *Sunnah*. Regarding whatever he does not know, (he should ignore it) and content himself with what is in his mind. And that is also not obligatory, it is recommended.

I would like to take this opportunity to say: With regard to the special supplications which are written for each circuit of the *Tawaf* and which fall into the hands of those performing *Hajj* and *'Umrah*, I say: This is a form of innovation and in it there are evils which are well known. Those who recite them think that they are something which has been reported from the Prophet ﷺ, and they think that they are performing an act of worship by these special words, and they recite them, and they do not understand their meaning.

Also, they assign a special supplication to each circuit, and if the supplication finishes before they have completed the circuit, as happens when there is crowding, they remain silent during the remainder of the circuit, and if the circuit ends before the completion of the supplication, they break off the supplication and leave it, even if they have only reached the words: 'Oh, Allâh!' and they have not said what they want to say, they cut it off and leave it. All of these are harmful things which result

from this innovation. Likewise, the supplications which exist in these rites at Maqam Ibrahim, it has not been reported that Prophet ﷺ supplicated at Maqam Ibrahim; he only recited when he stood opposite it:

﴿وَٱتَّخِذُوا۟ مِن مَّقَامِ إِبْرَٰهِـۧمَ مُصَلًّى﴾

"And take you (people) the Maqam (place) of Ibrahım (Abraham) [or the stone on which Ibrahım (Abraham) عليه السلام *stood while he was building the Ka'bah] as a place of prayer (for some of your prayers, e.g. two Rak'at after the Tawaf of the Ka'bah at Makkah)."*[1]

And he prayed two *Rak'at* behind it. As for this supplication which they recite annoying the worshippers at the Maqam is detested for two reasons:

1. It has not been reported from the Prophet ﷺ and so it is an innovation.

2. They annoy those worshippers who pray behind Maqam Ibrahim. And most of the things which exist in these rites are innovated, either in the manner or in the time or in the place. We ask Allâh for guidance.

Q. 504. After completing his *'Umrah,* a man found some filth in his *Ihram* garments; what is the ruling on this?

A. If a person performed *Tawaf* and *Sa'y* for *'Umrah,* and after that, he found some filth in his *Ihram* garments, then his *Tawaf* is valid, his *Sa'y* is valid and his *'Umrah* is valid. This is because if a person has some filth on his garment, and he does not know about it, or he knew about it but he forgot to wash it, and then he prayed in that garment, then his prayer is valid. Similarly, if he made *Tawaf* in this garment, then his *Tawaf* is valid. The evidence for that is the Saying of Allâh, the Most High:

[1] *Al-Baqarah* 2:125

﴿رَبَّنَا لَا تُؤَاخِذْنَآ إِن نَّسِينَآ أَوْ أَخْطَأْنَا﴾

"Our Lord! Punish us not if we forget or fall into error."[1]

This evidence is general, and it is considered a great rule from among the rules of Islamic Law. There is a specific evidence in the matter, and that is that one day, the Messenger of Allâh ﷺ led his Companions, may Allâh be pleased with them, in prayer and it was his practice to pray in his shoes, but he removed his shoes and the people removed their shoes too. After he had finished praying, he said to them:

«مَا شَأْنُكُمْ؟»

"What was wrong with you?"

They said: "We saw you removing your shoes." He said:

«إِنَّ جِبْرِيلَ أَتَانِي فَأَخْبَرَنِي أَنَّ فِيهِمَا خُبْثًا»

"Jibril came to me and informed me that there was something harmful or some dirt on them."[2]

That is, some impurity. The Prophet ﷺ did not repeat the prayer, even though at the beginning of his prayer, he had worn shoes on which there was some impurity. This proves that if a person prayed in a garment in which there was impurity due to forgetfulness or ignorance, his prayer is valid.

There is a question here: If a person eats camel meat and he stands up and prays without performing ablution, believing that he had eaten mutton, should he repeat his prayer if he found out? We say: He should repeat the prayer after performing ablution. If someone asked: Why do you say that a person who prayed in a polluted garment due to ignorance should not repeat the prayer, while one who eats camel meat due to ignorance, should repeat it? We say: Because we have a

[1] *Al-Baqarah* 2:286

[2] Reported by Abu Dawud in the Book of Prayer (650).

useful and important rule, which is, commands are not cancelled due to ignorance or forgetfulness, whereas prohibitions are cancelled due to ignorance and forgetfulness. The evidence for this rule is the saying of the Prophet ﷺ:

«مَنْ نَامَ عَنْ صَلَاةٍ أَوْ نَسِيَهَا فَلْيُصَلِّهَا إِذَا ذَكَرَهَا»

"Whoever slept through a prayer or forgot it, he must offer it as soon as he remembers it."[1]

And when he made the *Taslim* after performing two *Rak'at* in one of his afternoon prayers and he forgot the remainder of the prayer, he completed it when he remembered it. This is an evidence that those things which are commanded are not cancelled due to forgetfulness, because the Prophet ﷺ ordered the one who forgot his prayer to offer it as soon as he remembers it, and the obligation to pray it was not removed due to forgetfulness. Also, he completed the prayer and he did not cancel the remainder of it due to forgetfulness. The proof that commands are not cancelled due to ignorance, is that a man came and offered a prayer in which he was not at rest, then he came to the Prophet ﷺ and greeted him and he said to him:

«ارْجِعْ فَصَلِّ فَإِنَّكَ لَمْ تُصَلِّ»

"Go back and offer prayer, for you have not prayed."

He repeated it three times and the man kept praying and coming to him, but he would say:

«ارْجِعْ فَصَلِّ فَإِنَّكَ لَمْ تُصَلِّ»

"Go back and offer prayer, for you have not prayed."

until the Prophet ﷺ taught him to pray correctly. So,this man abandoned an obligatory act due to ignorance, because he said:

[1] The reference for this *Hadith* was mentioned previously under no. 185.

"By Him Who sent you with the truth, I cannot pray better than this, so teach me." If an obligation was cancelled due to ignorance, the Prophet ﷺ would have excused him; and this rule is important and beneficial for the seeker of knowledge.

Q. 505. Are the prints which are in Maqam Ibrahim those of the feet of Ibrahim عليه السلام or not?

A. There is no doubt that Maqam Ibrahim is proven, and that this place over which the glass is erected is the place where Ibrahim, peace be upon him, stood. But it does not appear from the holes in it that they are the footprints, because it is known historically that the footprints have gone long ago, but these prints were dug or made as a sign only. And it is not possible for us to assert that these holes are the footprints of Ibrahim, peace be upon him.

With regard to this, I would like to draw attention to a matter, which is that some *'Umrah* and *Hajj* pilgrims stand at Maqam Ibrahim and supplicate using words which have not been reported from the Prophet ﷺ. They may even supplicate in loud voices, causing disturbance to those who are praying the two *Rak'at* of the *Tawaf* behind Maqam Ibrahim, when there is no supplication for the Maqam. In fact, the *Sunnah* is to pray two light *Rak'at* behind it, then to stand immediately after the *Taslim* and leave the place for those who have more right to it those who wish to pray the two *Rak'at* of *Tawaf*.

Q. 506. Is it permissible to touch the cloth covering of the Ka'bah?

A. Seeking blessings from the cloth covering of the Ka'bah and touching it are innovations, because such a thing has not been reported from the Prophet ﷺ and when Mu'awiyah bin Abi Sufyan, may Allâh be pleased with him, made *Tawaf* around the Ka'bah and began to touch all corners of the House, Ibn 'Abbas,

may Allâh be pleased with him, censured him. Mu'awiyah, may Allâh be pleased with him, answered him saying: "No part of the House is untouchable." But Ibn 'Abbas, may Allâh be pleased with him, replied, saying: "Indeed in the Messenger of Allâh you have a good example, and I have seen the Prophet ﷺ touching the two Yemenite Corners." That is, the Black Stone, and the Yemenite Corner and this is an evidence that when touching the Ka'bah and its corners, we should restrict ourselves to what has been reported in the *Sunnah*, because there is a good example in the Messenger of Allâh ﷺ. As for clinging to the part of the wall which is between the Black Stone and the door, it has been reported from the Companions, may Allâh be pleased with them, that they did so, clinging to it and supplicating. And Allâh knows better.

Q. 507. What is the ruling on shaving or shortening the hair in *'Umrah*? And which of them is better?

A. Shaving or shortening the hair in *'Umrah* is obligatory, because when the Prophet ﷺ arrived in Makkah for his Farewell Pilgrimage and he had performed *Tawaf* and *Sa'y*, he ordered all of those who had not brought a sacrificial animal to shorten their hair then to leave their state of *Ihram*. Since he ordered them to shorten their hair, and the basic principle regarding orders is that they are obligatory, it proves that the hair must be shortened. It is also proven by the fact that the Prophet ﷺ commanded them to shave their heads when they were prevented at the Battle of Hudaibiyyah from performing *'Umrah*, and he ﷺ even became angry when they were reluctant to do so.

As for whether it is better to shorten the hair or shave it in *'Umrah*, it is better to shave – except for the *Mutamatti'*, who comes late, for it is better in his case to shorten it, so that it is possible for him to shave for the *Hajj*.

Q. 508. A *Hajj* pilgrim performing *Hajjut-Tamattu'* made the *Tawaf* and the *Sa'y* for *'Umrah* and then donned his ordinary clothes, and he did not shorten or shave his hair. After the *Hajj*, he asked about it and was told that he had done something wrong; what should he do?

A. This man is considered to have abandoned one of the obligatory acts of *'Umrah*, which is to shave or shorten the hair. According to the scholars, he must sacrifice an animal as a ransom in Makkah and distribute it among the poor of Makkah, and he remains *Mutamatti'* (until he has done so) and his *'Umrah* is valid.

Q. 509. If someone entered the state of *Ihram* as a *Mutamatti'* and he did not shorten his hair or shave it for *'Umrah*, and then he completed the rites of *Hajj*, what should he do?

A. This *Hajj* pilgrim failed to shorten his hair in *'Umrah*, and shortening the hair is one of the obligatory acts of *'Umrah*. For failing to perform an obligatory act of *'Umrah*, according to the scholars, a person must sacrifice an animal in Makkah and distribute it among the poor. So, based upon this, we say to this *Hajj* pilgrim: According to what the scholars have said, you must sacrifice an animal as a ransom in Makkah and distribute it among the poor. In this way, your *'Umrah* and *Hajj* will be complete. If he is not in Makkah, he must authorize someone to pay the ransom and slaughter the animal in Makkah. And Allâh is the Granter of success.

Q. 510. A person performing *Hajjut-Tamattu'* was unable to sacrifice an animal, so he fasted for three days in *Hajj* and he did not fast the remaining seven (when he returned home); this was three years ago, so what should he do now?

A. He must fast the remainder of the ten days, which is seven days, and we ask Allâh's Help for him.

Q. 511. If a person shaved his hair for *'Umrah* in his own country, what is the ruling on his *'Umrah*?

A. The scholars say that shaving the head is not associated with any particular place, so if he shaved his head in Makkah or anywhere else, there is no objection, but leaving the state of *Ihram* in *'Umrah* is conditional upon it. Also, after shaving there is *Tawaful-Wida'*, so the sequence of rites in *'Umrah* is thus: *Ihram*, *Tawaf*, *Sa'y*, shaving or shortening the hair, and *Tawaful-Wida'* if the person remained in Makkah for a time after performing the *'Umrah*. But if he travelled immediately after performing the deeds of *'Umrah*, then he is not obliged to perform *Tawaful-Wida'*. So, it means that he must shave his head or shorten his hair while he is in Makkah, if he wishes to remain, because it will be followed by *Tawaful-Wida'*. But if he performed *Tawaf* and *Sa'y* and then returned to his country immediately, then there is no sin upon him in shortening his hair or shaving it in his home country, but he will remain in a state of *Ihram* until he shortens his hair or shaves it.

Q. 512. If a person assumed *Ihram* for *'Umrah* as a *Mutamatti'*, then he decided not to perform *Hajj*, is there anything incumbent upon him?

A. There is nothing incumbent upon him, because if a *Mutamatti'* assumes *Ihram* for *'Umrah* and he completes it, then he decides not to perform *Hajj* before assuming *Ihram* for it, there is nothing incumbent upon him unless he made a vow. If he vowed to perform *Hajj* that year, he must fulfill his vow. But if it was without a vow, then there is no sin upon him if he does not make *Hajj* after performing *'Umrah*. And Allâh is the Granter of success.

Q. 513. If a person assumed *Ihram* for *Hajj* as a *Mutamatti'* and then performed *'Umrah* and he did not leave the state of *Ihram* until he slaughtered the sacrificial animal due to ignorance, what is incumbent upon him? And is his *Hajj* valid?

A. It should be known that if a person assumes *Ihram* as a *Mutamatti'*, then he makes *Tawaf* and *Sa'y,* and shortens the hair over the whole of his head, then leaves the state of *Ihram*, that is what is obligatory. If he remains in his state of *Ihram*, while he had intended to perform *Hajj* before he began the *Tawaf*, i.e. the *Tawaf* of *'Umrah*, then there is no sin upon him. In that case, he will be a *Qarin* and the sacrifice which he made will be for *Qiran*.

If he continues with the intention of *'Umrah* until he makes *Tawaf* and *Sa'y,* then many of the scholars hold that his *Ihram* for *Hajj* is invalid, because it is not correct for him to include the *Hajj* in the *'Umrah* once he has started its *Tawaf*.

But some scholars consider that there is no objection to it, and since he was ignorant, it is my opinion that there is nothing incumbent upon him, and that his *Hajj* is valid, Allâh, the Most High Willing. And Allâh is the Granter of success.

Q. 514. Some people got lost on the way to Muzdalifah and when they approached it, they stopped and offered the *Maghrib* and *'Isha'* prayers at one o'clock in the morning. Then they entered Muzdalifah when the *Athan* was called for *Fajr* and they prayed *Fajr* there. Is there anything incumbent upon them? Deliver a verdict for us, and may Allâh reward you with goodness.

A. There is nothing incumbent upon them, because they caught the *Fajr* prayer in Muzdalifah when they entered it at the time of the *Athan* of *Fajr* and they offered the *Fajr* prayer there before daybreak. It has been authentically reported from the Prophet ﷺ that he said:

«مَنْ شَهِدَ صَلَاتَنَا هَذِهِ، وَوَقَفَ مَعَنَا حَتَّى نَدْفَعَ، وَقَدْ وَقَفَ قَبْلَ ذَلِكَ بِعَرَفَةَ لَيْلًا أَوْ نَهَارًا فَقَدْ تَمَّ حَجُّهُ وَقَضَى تَفَثَهُ»

"Whoever attended this prayer of ours and stood with us until we leave, and he has stood at 'Arafah before that during the night or the day, he has completed his Hajj and fulfilled its rites."[1]

But those people erred when they delayed the prayer until after midnight, because the time for *'Isha'* prayer is until midnight, as confirmed in *Sahih Muslim* in the *Hadith* of 'Abdullah bin 'Amr bin 'Al-'Aas from the Prophet ﷺ.

Q. 515. A woman departed from Muzdalifah at the end of the night and deputed her son to stone the *Jamarat* on her behalf, even though she was able to do it; what is the ruling on this? Deliver a verdict for us, and may you be rewarded.

A. Stoning the *Jamarat* is one of the rites of *Hajj*, because the Prophet ﷺ ordered it and did it himself and he ﷺ said:

«إِنَّمَا جُعِلَ الطَّوَافُ بِالْبَيْتِ وَبِالصَّفَا وَالْمَرْوَةِ، وَرَمْيُ الْجِمَارِ لِإِقَامَةِ ذِكْرِ اللهِ»

"Circumambulation of the House and the circuits between As-Safa, Al-Marwah and stoning the Jimar have only been made incumbent for the remembrance of Allâh."[2]

So, it is an act of worship which brings a person closer to his Lord, and it is an act of worship because a person performs the stoning with these pebbles in this place in order to worship Allâh, the Almighty, the All-Powerful and to establish the remembrance of Allâh. So, it is based purely upon worship of Allâh, the Most Glorified, the Most High. For this reason, when

[1] Reported by At-Tirmithi in the Book of *Hajj*.

[2] The reference for this *Hadith* was mentioned previously under no. 502.

a person stones the *Jamarat*, he should be in a state of humility and submissiveness to Allâh, due to its importance.

If it is a choice between stoning these *Jamarat* early, at the beginning of the time, or delaying it until the end of the time and if the case is such that if it is delayed, he will perform the stoning with calmness, humility and presence of the heart then delaying it is preferable. This is because this superiority is a superiority connected to the act of worship itself, and when something is related to the act of worship itself, it takes preference over something which is related to the time or place of the act of worship, which is why the Prophet ﷺ said:

«لَا صَلَاةَ بِحَضْرَةِ الطَّعَامِ وَلَا هُوَ يُدَافِعُهُ الأَخْبَثَانِ»

"There is no prayer when food is served, nor when a person is holding back the two filths (feces and urine)."[1]

So, a person delays the prayer from the beginning of its time in order to answer the call of nature, or in order to repel extreme hunger, the cause of which is whatever was served and that is the food. So, if it is a choice between stoning the *Jamarat* at the beginning of the time but with difficulty, crowding and busying oneself with self-protection, or delaying it until the end of the time, even if it was at night, and performing it with calmness and presence of heart, then delaying it is preferable. This is why the Prophet ﷺ allowed the weak members of his family to proceed from Muzdalifah in the last part of the night, so that they would not be harmed by the crowding which occurs when all of the people attend after the start of *Fajr*.

If this is clear, then it is not permissible for a person to appoint another to stone the *Jamarat* on his behalf, according to the Words of Allâh, the Most High:

﴿وَأَتِمُّوا الْحَجَّ وَالْعُمْرَةَ لِلَّهِ﴾

[1] The reference for this *Hadith* was mentioned previously under no. 264.

"...and complete the Hajj and 'Umrah for Allâh."

There is no difference in this matter between men and women. If this is also clear, and (it is clear) that stoning the *Jamarat* is an act of worship, and that it is not permissible for a man or woman who is able to appoint another to perform it on his or her behalf, then it is incumbent upon a person to perform it himself. The exception for this is a sick man or woman, or a woman who is pregnant, and she fears for her child, in that case, they may appoint someone else.

As for the matter that occurred with this woman, of whom it is said that she did not stone the *Jamarat* in spite of her ability to do so, it is my opinion that the safest thing is to sacrifice an animal as a ransom in Makkah and distribute it among the poor, due to her having failed to perform this obligatory act.

Q. 516. A *Hajj* pilgrim stoned *Jamratul-'Aqabah* from the east side, but the stones did not drop in the trough and he was in the thirteenth day; is he required to repeat all of the stonings?

A. He is not required to repeat all of the stonings. He is only required to repeat the stoning in which he made the mistake. Accordingly, he should only repeat the stoning of *Jamratul-'Aqabah*, and he should stone it correctly. The stoning he performed from the east side does not count if the stones did not land in the trough, which is the place of stoning. For this reason, if he had stoned it from the bridge from the east side, it would have counted, because they would fall in the trough.

Q. 517. If one or two of the seven (pebbles thrown at the) *Jamrah* did not hit it, and one or two days had passed, should the stoning of this *Jamrah* be repeated? If it is necessary, should the stoning of those that came after it also be repeated?

A. If the stoning of one or two of the *Jamarat* remained for the pilgrim, or more clearly, one or two stones from the stoning of the *Jamarat*, then the scholars of Islamic Jurisprudence say if it was from the last *Jamrah*, he should repeat it. That is, repeat what is lacking only, and he is not required to stone what was before it. But if it was from other than the last *Jamrah*, he should make up for what is lacking, and then stone the *Jamarat* that come after it.

In my opinion, the correct view is that he should make up for what is lacking in all circumstances, and he is not required to repeat what comes after it. This is because the requirement to perform them in sequence is lifted due to ignorance or forgetfulness. This man stoned the second *Jamrah* and he did not believe that there was anything due from him for what preceded it. So, he was either ignorant or forgetful, and in that case, we say to him: Throw the stones that were lacking and you are not obliged to stone the *Jamarat* that came after that.

Before finishing this reply, I would like to point out that what is pelted is the collection of stones, not the pillar which was erected to indicate it. So, if he threw the stones in the trough and he did not hit the pillar with any of his stones, then his stoning is valid. And Allâh knows better.

Q. 518. It is said that it is not permissible to stone the *Jamarat* with stones that have already been thrown; is this correct? And what is the evidence for it? May Allâh reward you with goodness for guiding the Muslims.

A. This is not correct, because those who claim that it is not permissible to stone the *Jamarat* with stones that have already been thrown say so for three reasons:

1. They say that they, i.e. the stones that have already been thrown are like water which has already been used for obligatory purification, and when water has been used for

obligatory purification, it is pure, but it does not purify.

2. That they are like a slave who has been manumitted; he cannot be manumitted after that as an atonement or for anything else.

3. That the opinion that it is permissible, necessitates that all of the *Hajj* pilgrims could pelt with one stone, so that you throw the stone, then you take it again and throw, then take it and throw it until you have completed all seven stonings, then the next person comes and he takes it and throws it until he has completed the seven stonings. But when we examine these three reasons, we see that they are all very weak:

As for the first reason: We say that the original rule is wrong, which is that water used for obligatory purification is pure, but does not purify. This is because there is no evidence for this, and it is not possible to alter water's essential attribute – which is that it purifies – without proof. So, based upon this, water used for obligatory purification is pure and it purifies. If the original ruling is negated, then the ruling of that which was deduced by analogy from it is also negated.

As for the second reason, which is the comparison between stones which have already been thrown and a slave who has been manumitted, it is an analogy with something that is different. This is because when the slave is manumitted, he is free, not a slave. So, it is not possible to manumit him again, as opposed to a stone that has been thrown, because it still remains a stone after it has been thrown, and so the meaning which made it valid to be thrown is not negated. Therefore, if this slave who was manumitted was enslaved again for any lawful reason, it would be permissible to manumit him a second time.

As for the third reason, which is that it would necessitate that all of the *Hajj* pilgrims could use one stone, we say that if this were possible, then it would be, but it is not possible, and no

one would try to do it when there are plenty of stones available.

Based upon this, if one or more stones fell from your hand near the *Jamarat*, then take others which are near you and throw them, whether you believe that they have already been thrown or not.

Q. 519. Is it permissible for the *Hajj* pilgrim to perform the *Sa'y* of *Hajj* before *Tawaful-Ifadah*?

A. If the *Hajj* pilgrim is performing *Hajjul-Ifrad*, then it is permissible for him to perform *Sa'y* before *Tawaful-Ifadah* and make it after *Tawaful-Qudum* as the Prophet ﷺ and those of his Companions, may Allâh be pleased with them, who had brought sacrificial animals with them did.

But if he is a *Mutamatti'*, then he must perform *Sa'y* twice: The first upon arrival in Makkah, and that is for *'Umrah* when he performs *Tawaf* and then *Sa'y*, then shortens his hair – and the second time in *Hajj*, and it is preferable to be after *Tawaful-Ifadah*, because *Sa'y* follows *Tawaf*. But if he performed it before *Tawaf*, then there is no sin in that, according to the most authoritative opinion, because the Prophet ﷺ was asked about it by a person who said: "I performed *Sa'y* before making *Tawaf*," and he said:

«لَا حَرَجَ»

"There is no harm."[1]

So, on the day of *'Eid*, the *Hajj* pilgrim should perform five rites in order: (i) Stoning *Jamratul-'Aqabah*, then (ii) sacrifice, then (iii) shaving the hair or cutting it, then (iv) circumambulating the House, and then (v) *Sa'y* between As-Safa and Al-Marwah, unless he is a *Qarin* or a *Mufrid* who performed *Sa'y* after *Tawaful-Qudum*. In that case, he is not required to perform *Sa'y*

[1] The reference for this *Hadith* was mentioned previously under no. 493.

again. It is preferable for him to arrange it in accordance with what we have mentioned, but if he advanced one before the other especially when there is a need for it there is no sin in that and this is from Allâh's Mercy and His Facilitation. All praise and thanks are to Allâh, the Lord of the worlds.

Q. 520. When does the time for the stoning of *Jamratul-'Aqabah* end, and when does the time for making it up end?

A. As for stoning *Jamratul-'Aqabah* on the day of *'Eid*, it ends with the start of *Fajr* on the eleventh day, and it begins at the end of the night on the Day of Sacrifice for the weak and those like them who are unable to bear the crowding of the people.

As for stoning it during the Days of *Tashriq*, it is like the stoning of the two *Jamarats* which are with it: It begins with the decline of the sun from its zenith and ends with the start of *Fajr* on the night which follows the day – unless it is on the last Day of *Tashriq*, for there is no stoning on that night – and that is the night of the fourteenth. This is because the Days of *Tashriq* end with the coming of sunset. Having said that, stoning during the daylight hours is preferable, except that at these times, when the pilgrims are great in number, they act with great force and they, do not care about each other, if he fears death or injury or severe hardship, then he may stone at night and there is no sin upon him. Similarly, if he stoned at night without such fears, there is no sin upon him, but it is preferable for him to observe what is most prudent in this matter, and not to stone at night unless there is a need for it. As for his saying: making it up, it will be made up when *Fajr* of the following day begins.

Q. 521. Is the permissibility of performing *Sa'y* before *Tawaf* particular for the day of *'Eid*?

A. The correct opinion is that there is no difference between

the day of *'Eid* and other days regarding the permissibility of performing *Sa'y* before *Tawaf*. This is so, even if it were after the day of *'Eid*, according to the generality of the *Hadith* in which a man said to the Prophet ﷺ: "I performed *Sa'y* before making *Tawaf*," and he said:

«لَا حَرَجَ»

"There is no harm."[1]

And since the *Hadith* is general, there is no difference between doing it on *'Eid* and doing it after it.

Q. 522. If a person who was obliged to offer *Sa'y* performed *Tawaf* and then departed without performing *Sa'y*, after which he was informed that it was incumbent upon him to offer *Sa'y*, should he perform *Sa'y* only, or must he repeat the *Tawaf*?

A. If a person performed *Tawaf* believing that *Sa'y* was not incumbent upon him, then later, he was informed that *Sa'y* was incumbent upon him, then he should perform *Sa'y* only, and there is no need for him to repeat the *Tawaf*. This is because it is not a condition that there be continuance between *Tawaf* and *Sa'y*. Even if it happened that a man abandoned it deliberately, i.e. that he delayed the *Sa'y* until sometime after the *Tawaf*, there is no sin upon him – but it is preferable for the *Sa'y* to follow on from the *Tawaf*.

Q. 523. What is the opinion of Your Eminence regarding one who shortens the hair on part of his head only for *'Umrah*?

A. My opinion regarding such a person is that he has not completed the shortening of his hair, and that it is incumbent upon him to remove his clothes and don the garments of *Ihram*,

[1] See the previous reference.

and shorten his hair in the correct manner, and after that, he may leave the state of *Ihram*.

I would like to take this opportunity to point out that it is an obligation upon every believer who wishes to perform an act of worship to Allâh to know the limits of what Allâh revealed to His Messenger ﷺ regarding that act of worship, in order to worship Allâh with sure knowledge, not in a state of ignorance; Allâh, the Most High says:

﴿قُلْ هَٰذِهِۦ سَبِيلِيٓ أَدْعُوٓا۟ إِلَى ٱللَّهِ عَلَىٰ بَصِيرَةٍ أَنَا۠ وَمَنِ ٱتَّبَعَنِى﴾

"Say (O Muhammad): This is my way; I invite unto Allâh with sure knowledge, I and whosoever follows me (also must invite others to Allâh with sure knowledge)."

If a person wished to travel from Makkah to Al-Madinah and there were no asphalt roads, he would not leave until he had inquired about the route. And if this is the case regarding physical paths, why would it not be so regarding spiritual paths, which are the paths which lead to Allâh?!

Shortening means to take something from all of the hair, and it is better to utilize an electrical appliance, because this covers the whole head. Although it is permissible to shorten it with scissors, that is on condition that the hair on the whole of the head is cut, just as in ablution, one passes the hands over the whole head, one does the same when shortening the hair. And Allâh knows better.

Q. 524. What is the time for stoning the *Jamarat*?

A. The time for stoning with regard to *Jamratul-'Aqabah* on the day of *'Eid* for those who are able and strong, is from sunrise on the day of *'Eid*. For others, such as the weak and those who are unable to stand the crowding of the people, like children and women, the time for stoning is from the latter part of the night. Asma' bint Abu Bakr, may Allâh be pleased with him, used to

wait for the setting of the moon on the night of *'Eid* and once it had set, she would depart from Al-Muzdalifah to Mina, and stone the *Jamrah*. As for the end of the time, it is sunset on the day of *'Eid*. But if there is crowding or one is far from the *Jamarat* and he wishes to delay it until the night, there is no sin upon him in that. However, he should not delay it until the start of *Fajr* on the eleventh day.

As for stoning the *Jamarat* on the Days of *Tashriq*, which are the eleventh, twelfth and thirteenth days, it begins from the time when the sun passes its zenith, i.e. from the middle of the day, at the time when *Zuhr* starts, and it continues until the night. But if there is hardship due to crowding or anything else, then there is no objection if one performs the stoning at night, up until the start of *Fajr*. But it is not lawful to perform the stoning on the eleventh day, the twelfth day, or the thirteenth day before the sun passes its zenith, because the Messenger ﷺ did not perform his stoning until after that, and he said to the people:

«خُذُوا عَنِّي مَنَاسِكَكُمْ»

"Take your rites from me."[1]

The fact that the Messenger ﷺ used to delay his stoning until this time, in spite of the severe heat and leave the earlier part of the day, even though it was cooler and easier, proves that it is not lawful to perform the stoning before this time. It is also proven by the fact that the Messenger ﷺ stoned from the time the sun began to decline before offering the *Zuhr* prayer; and this is evidence that it is not lawful to perform the stoning before the sun begins to decline. If it were not so, stoning before the sun began to decline would be preferable, in order that the prayer – the *Zuhr* prayer – be offered at the start of its time, because praying at the beginning of the stated time is preferable. But the fact is that the evidences prove that stoning

[1] This *Hadith* was narrated previously under no. 496.

on the Days of *Tashriq* is not permissible before the sun begins to decline.

Q. 525. A man was afflicted by illness on the Day of *'Arafah* and he did not remain at Mina, and he did not stone the *Jamarat,* nor did he perform *Tawaful-Ifadah;* what is incumbent upon him in that case?

A. If this man who fell ill on the Day of *'Arafah*, was afflicted by an illness which caused him to be unable to complete the rites of *Hajj*, and he had made it a condition when he entered the state of *Ihram* by saying: *'In Habasani Habisun Famahalli Haithu Habastani* (Should anything prevent me, then I may leave the state of *Ihram* at the point at which You stopped me),' then he may leave the state of *Ihram* and there is nothing incumbent upon him. But if this *Hajj* was an obligatory one, then he must perform it another year.

If he did not make this condition, then according to the most authoritative opinion, if he was unable to complete his Hajj, he may leave the state of *Ihram*, but he must sacrifice an animal, according to the Words of Allâh, the Most High:

﴿وَأَتِمُّوا۟ ٱلْحَجَّ وَٱلْعُمْرَةَ لِلَّهِ ۚ فَإِنْ أُحْصِرْتُمْ فَمَا ٱسْتَيْسَرَ مِنَ ٱلْهَدْىِ﴾

"And perform properly (i.e. all the ceremonies according to the ways of Prophet Muhammad ﷺ), the Hajj and 'Umrah (i.e. the pilgrimage to Makkah) for Allah. But if you are prevented (from completing them), sacrifice a Hady (animal, i.e. a sheep, a cow, or a camel) such as you can afford."[1]

And the correct meaning of His Words:

﴿فَإِنْ أُحْصِرْتُمْ﴾

"But if you are prevented..."

is that it includes prevention by an enemy or prevention by

[1] *Al-Baqarah* 2:196

anything else; and the meaning of the word *Ihsar* (used in the Verse) is that obstacle which prevents a person from completing his *Hajj* rites.

So, based upon this, he should leave the state of *Ihram* and sacrifice an animal, and there is nothing incumbent upon him other than this, unless he has not performed the obligatory *Hajj*, then he must perform it the following year.

However, if this sick person continued the journey in his *Hajj* and he stayed in Muzdalifah, but he did not stay in Mina, nor stone the *Jamarat*, then in this case, his *Hajj* will be valid, it will be counted for him. But in this case he must sacrifice an animal for each obligatory act which he did not perform. Accordingly, he must sacrifice two animals: One of them for not staying in Mina, and the other for not stoning the *Jamarat*.

As for *Tawaful-Ifadah*, he should remain, and perform the *Tawaf* – if Allâh cures him. According to the most authoritative opinion, the limit for performing *Tawaful-Ifadah* is the end of the month of Thul-Hijjah and if it is due to some excuse, then it is until the excuse no longer exists.

Q. 526. If a person stayed outside Muzdalifah due to ignorance of the limits (of it), what is the ruling?

A. According to the scholars, he is obliged to pay a ransom of a sheep, which he must sacrifice and distribute among the poor of Makkah, because he has failed to perform one of the obligatory acts of *Hajj*. I would like to take this opportunity to remind my brothers who are performing *Hajj* to take care regarding the limits of the sacred places in 'Arafat and Muzdalifah. For many people in 'Arafat stop at places outside the limits of 'Arafat and they remain there until sunset, then depart without entering 'Arafat; such people, if they depart without entering 'Arafat, departed without *Hajj*. For this reason, it is necessary for a person to make inquiries regarding

the limits of 'Arafat and to become acquainted with them and they stretch for many long miles, all praise and thanks are to Allâh.

Q. 527. If a person performed *Hajjul-Ifrad* and he made the *Sa'y* after *Tawaful-Qudum*, must he perform *Sa'y* after *Tawaful-Ifadah*?

A. He is not obliged to perform *Sa'y* after *Tawaful-Wida'*, because when the *Mufrid* performs *Tawaful-Qudum* and makes *Sa'y* after *Tawaful-Qudum*, this *Sa'y* is the *Sa'y* of *Hajj*, and so he should not repeat it a second time after *Tawaful-Ifadah*.

Q. 528. Is it sufficient for the *Qarin* to perform one *Tawaf* and one *Sa'y*?

A. If a person performs *Hajj* as a *Qarin*, then it is sufficient for him to perform the *Tawaf* of *Hajj* and the *Sa'y* of *Hajj* for *'Umrah* and *Hajj* together. In this case the *Tawaful-Qudum* will be a *Sunnah Tawaf*. If he wishes, he may perform the *Sa'y* after *Tawaful-Qudum*, as the Prophet ﷺ did. And if he wishes, he may delay it until the day of *'Eid* after *Tawaful-Ifadah*. Performing it before the *'Eid* is preferable, as this is what the Prophet ﷺ did. If it is done on the day of *'Eid*, he should perform *Tawaful-Ifadah* only, without *Sa'y*, because he has already offered *Sa'y*.

The evidence that the *Tawaf* and *Sa'y* are sufficient for both *'Umrah* and *Hajj*, is the statement of the Messenger ﷺ to 'Aishah, may Allâh be pleased with her, when she was performing *Hajjul-Qiran*:

«طَوَافُكِ بِالْبَيْتِ وَبِالصَّفَا وَالْمَرْوَةِ يَسَعُكِ لِحَجِّكِ وَعُمْرَتِكِ»

"Your circuits of the House and between As-Safa and Al-Marwah are sufficient for you for your Hajj and your 'Umrah."[1]

[1] Reported by Abu Dawud in the Book of (*Hajj* and *'Umrah*) Rites, in the Chapter: The *Tawaf* of the *Qarin* (1897).

So, the Prophet ﷺ made it clear that the *Tawaf* and the *Sa'y* of the *Qarin* are sufficient for both the *Hajj* and the *'Umrah*.

Q. 529. What is the ruling on a person who stayed at Mina until twelve o'clock at night, then entered Makkah and he did not return until the start of *Fajr*?

A. If twelve o'clock at night was the middle of the night in Mina, then there is no objection to him leaving it after that, although it is preferable to remain in Mina throughout the night and day. But if twelve o'clock was before the middle of the night, then he should not leave, because staying in Mina is conditional upon it being for most of the night, according to what our scholars of *Fiqh*, may Allâh have mercy on them, have said.

Q. 530. If the *Hajj* pilgrim leaves Mina before sunset on the twelfth day, with the intention of hastening[1] and he has work in Mina to which he will return after sunset, is he considered to have hastened?

A. Yes, he is considered to have been precipitate, because he has completed the *Hajj* and his intention to return to Mina for his work does not negate his having hastened, because he only intended to return for work which he was obliged to perform, not for the rites (of *Hajj*).

Q. 531. A *Hajj* pilgrim from outside the Kingdom had a reservation to leave at four o'clock in the afternoon on the thirteenth day of the month of Thul-Hijjah. He did not leave Mina after the stoning on the twelfth, and the

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[1] The hastening mentioned here is that referred to in the Words of Allah, the Most High:

﴿فَمَن تَعَجَّلَ فِي يَوْمَيْنِ فَلَآ إِثْمَ عَلَيْهِ﴾

"But whosoever hastens to leave in two days, there is no sin on him." (*Al-Baqarah* 2:203)

time for staying overnight overtook him on the night of the thirteenth. Is it permissible for him to stone in the morning and then to leave, bearing in mind that if he delays until after the sun begins its decline, he will miss his flight and it will entail great hardship for him? If the answer is that it is not permissible, is there no opinion which permits stoning before the sun begins its decline? Advise us, may Allâh reward you with goodness for guiding us and (all of) the Muslims.

A. It is not permissible to stone before the sun begins its decline, but it is possible for the obligation of stoning to be lifted in these circumstances by virtue of necessity and we say to him: You must pay a ransom (of a sacrificial animal) and slaughter it in Mina or in Makkah, or appoint someone to slaughter it on your behalf and distribute it among the poor, then perform *Tawaful-Wida'* and leave.

We say: As for your question: If the answer is that it is not permissible, is there no opinion which permits stoning before the sun begins its decline? the answer is: There is an opinion which holds that it is permissible to stone before the sun begins its decline, but it is not correct. The correct view is that stoning before the sun begins its decline on the days following *'Eid* is not permissible, because the Prophet ﷺ said:

«خُذُوا عَنِّي مَنَاسِكَكُمْ»

"You must take your rites from me."[1]

– and he ﷺ did not stone on these days until after the sun had begun its decline.

And if someone said: The stoning of the Prophet ﷺ after the sun had begun its decline is only an action (i.e. not a command) and a mere action does not prove an obligation, we would

[1] The reference for this *Hadith* was mentioned previously under no. 496.

answer: It is true that a mere action does not prove an obligation. As for it being a mere action, it is because the Prophet ﷺ stoned after the sun had begun its decline, but he did not order that the stoning be after the sun began its decline, nor did he prohibit stoning before the sun begins its decline. As regards to an action not being evidence of its obligation, it is because an act cannot be obligatory unless there is an order to do it or a prohibition against abandoning it.

But we say that the evidence proves the obligation; the reason for this is: The fact that the Messenger ﷺ used to delay the stoning until after the sun had passed its zenith proves the obligation to do so, since if stoning before the sun began to descend was permissible, the Prophet ﷺ would have done it, because it is less demanding for the slaves and easier for them. The Prophet ﷺ always chose the easier of two things, as long as there was no sin in it. Since he did not choose the easier of them here which is stoning before the sun's decline it proves that it is a sin.

The other aspect which proves that this action is obligatory, is the fact the Messenger ﷺ used to stone immediately upon the sun passing its zenith before offering the *Zuhr* prayer. So, it was as if he was impatiently waiting for the sun to pass its zenith in order to promptly perform the stoning, and for this reason, he delayed the *Zuhr* prayer, even though it is preferable to offer it at the start of its stated time – all of this in order to perform the stoning after the sun began its decline.

Q. 532. If a person did not perform the stoning on the twelfth day, thinking that this was hastening (as referred to in *Surat Al-Baqarah* 2:203) and he departed without performing *Tawaful-Wida'*, what is the ruling on his *Hajj*?

A. His *Hajj* is valid, because he did not fail to perform any of

the pillars of *Hajj*, but he did fail to perform three obligatory deeds, if he did not stay at Mina on the night of the twelfth:

1. Staying at Mina on the night of the twelfth.
2. Stoning the *Jamarat* on the twelfth day.
3. *Tawaful-Wida'*.

For each one of these, he is obliged to sacrifice an animal in Makkah and distribute its meat among the poor, because according to the scholars, if a person does not perform an obligatory act during *Hajj*, he must sacrifice an animal and distribute it among the poor.

I would like to take this opportunity to point out this error to my brother pilgrims, which the questioner committed, because many of the *Hajj* pilgrims understand as he did, that the meaning of the Words of Allâh, the Most High:

﴿فَمَن تَعَجَّلَ فِي يَوْمَيْنِ﴾

"But whosoever hastens to leave in two days."

is whoever left on the eleventh day; and they consider that the two days are the day of *'Eid* and the eleventh. This is not the case; indeed, this is an error of understanding, because Allâh, the Most High says:

﴿وَاذْكُرُوا اللَّهَ فِي أَيَّامٍ مَّعْدُودَاتٍ فَمَن تَعَجَّلَ فِي يَوْمَيْنِ فَلَا إِثْمَ عَلَيْهِ﴾

"And remember Allâh during the Appointed Days. But whosoever hastens to leave in two days, there is no sin upon him."[1]

The appointed Days are the Days of *Tashriq*; the first of them is the eleventh, so based upon this, the Words of Allâh:

﴿فَمَن تَعَجَّلَ فِي يَوْمَيْنِ﴾

"But whosoever hastens to leave in two days."

[1] *Al-Baqarah* 2:203

refer to one of the Days of *Tashriq*, which is the twelfth. Therefore a person should correct his understanding regarding this matter, so that he does not fall into error.

Q. 533. If a person did not find a place in Mina and he arrived there at night and stayed there until after the middle of the night, then went to the Sacred Mosque for the remainder of his day, what is the ruling?

A. The ruling for this is that this deed counts. But it should have been done differently than this. What should happen is that the *Hajj* pilgrim should remain night and day in Mina during the Days of *Tashriq*; and if he did not find a place, he should remain where the people end, i.e. next to the last tent, even if it is outside Mina – if he did not find a place in Mina after an exhaustive search.

Some of the scholars in our time hold the view that if a person did not find a place in Mina, then the obligation to remain there is lifted from him, and it is permissible for him to stay in any place in Makkah or any other place. They compared this to one who has lost one of the limbs that would be washed during ablution, for the obligation to wash it is removed from him. But there is some doubt about this, because the limb is connected to the ruling on purification of it and it is not there. But in this case, what is meant by staying is that the people gather as one community. So, it is compulsory for a person to be next to the last tent, so that he is with the *Hajj* pilgrims. Similarly in the case when the *Masjid* is full and the people pray around the *Masjid*: the rows must be connected to the *Masjid*, so that they are one community. Staying in Mina is like this, it is not like a seyered limb.

Q. 534. A man performed *Tawaful-Wida'* in the morning, then he slept and he wanted to travel after *'Asr*; is there anything incumbent upon him?

A. He must repeat *Tawaful-Wida'in 'Umrah* and in *Hajj*, because the Prophet ﷺ said:

«لَا يَنْفِرَنَّ أَحَدٌ حَتَّى يَكُونَ آخِرُ عَهْدِهِ بِالْبَيْتِ»

"None of you should depart without performing the last circumambulation of the House."[1]

He said this in the Farewell Pilgrimage. So, the obligation to perform *Tawaful-Wida'* began from that time, and we are not contradicted by any narrations stating the Messenger ﷺ performed *'Umrah* before that and he did not perform *Tawaful-Wida'*, because *Tawaful-Wida'* was only made compulsory during the Farewell Pilgrimage. The Prophet ﷺ said:

«اصْنَعْ فِي عُمْرَتِكَ مَا أَنْتَ صَانِعٌ فِي حَجِّكَ»

"Do in your 'Umrah what you do in your Hajj."[2]

This is general, exceptions from it are standing at 'Arafat, staying in Muzdalifah and stoning the *Jamarat*. These rites are specific to *Hajj*, according to the consensus of the scholars. So, anything other than these remains covered by this generality, and because the Prophet ﷺ called *'Umrah* minor *Hajj*.[3]

Likewise, there is the lengthy *Hadith* of 'Amr bin Hazm,[4] may Allâh be pleased with him, which is well known, and which is regarded as acceptable by the scholars, although it is a *Mursal Hadith*. However, it is correct due to the fact that the scholars regard it as acceptable, and because Allâh, the Most High says:

[1] Reported by Muslim in the Book of *Hajj*, in the Chapter: The Obligation to Perform *Tawaful-Wida'* And the Lifting of the Obligation for the Menstruating Woman (2/963).

[2] Reported by Al-Bukhari in the Book of *Hajj*, in the Chapter: Washing off Perfume Three Times (1536); and by Muslim in the Book of *Hajj*, in the Chapter: What is Permissible for the *Muhrim* During *Hajj* and *'Umrah* (1180).

[3] The reference for this *Hadith* was mentioned previously under no. 461.

[4] See point no. 2 in the following answer.

﴿وَأَتِمُّوا۟ ٱلْحَجَّ وَٱلْعُمْرَةَ لِلَّهِ﴾

"...and complete the Hajj and 'Umrah for Allâh."

Since *Tawaful-Wida'* is a part of the completeness of *Hajj*, it is also a part of the completeness of *'Umrah*. And also, because this man who was performing *'Umrah* entered the Sacred Mosque by making salutation (i.e. *Tawaf*) and so he should not leave it without making salutation.

Based upon all of this, *Tawaful-Wida'* is an obligation in *'Umrah* as it is in *Hajj*. There is a *Hadith* reported by At-Tirmithi:

«إِذَا حَجَّ الرَّجُلُ أَوِ اعْتَمَرَ فَلَا يَخْرُجْ حَتَّى يَكُونَ آخِرُ عَهْدِهِ بِالْبَيْتِ»

"If a man performs Hajj or 'Umrah, he should not leave without performing the final Tawaf of the House."

There is some weakness in this *Hadith*, because it is one of the narrations of Hajjaj bin Arta'ah, and if it were not for the weakness in it, it would be an evidence in the matter, and would conclusively put an end to any dispute. But because of its weakness, it cannot stand as an evidence, although the principles which we have mentioned a while ago prove the obligation to perform *Tawaful-Wida'* in *'Umrah*.

Also, if a person performed *Tawaf* in *'Umrah*, it is more prudent and better in order to be sure that he has fulfilled his obligations, because if you perform *Tawaful-Wida'* in *'Umrah*, no one will say that you have committed an error, and in that case the one who performs *Tawaf* will be right either way. But as for the one who does not perform *Tawaf*, he is in danger and he is in error, according to the opinion of some of the scholars.

Q. 535. What is the ruling on *Tawaful-Wida'* for a person performing *'Umrah*?

A. If, when he arrived in Makkah, he intended to perform *Tawaf* and *Sa'y*, and to shave or trim his hair, and then return

home, *Tawaf* is not incumbent upon him. Because in his case, *Tawaful-Qudum* assumes the position of *Tawaful-Wida'*. But if he remains in Makkah, then the most authoritative opinion is that he is obliged to perform *Tawaful-Wida'* and this is based upon the following evidences:

1. The generality of the statement of the Prophet ﷺ:

«لَا يَنْفِرَنَّ أَحَدٌ حَتَّى يَكُونَ آخِرُ عَهْدِهِ بِالْبَيْتِ»

"None of you should depart without performing the last circumambulation of the House."[1]

The word in the *Hadith Ahad* is the indefinite article used in a negative context, and so it includes everyone who departs.

2. That *'Umrah* is like *Hajj*; indeed, the Prophet ﷺ called it *Hajj* in the well known *Hadith* of 'Amr bin Hazm, may Allâh be pleased with him,[2] which is regarded by scholars as acceptable; the Prophet ﷺ said:

«وَالْعُمْرَةُ هِيَ الْحَجُّ الْأَصْغَرُ»

"'Umrah is minor Hajj."

3. The Prophet ﷺ said:

«دَخَلَتِ الْعُمْرَةُ فِي الْحَجِّ إِلَى يَوْمِ الْقِيَامَةِ»

"Umrah has been incorporated into the Hajj until the Day of Resurrection."[3]

4. The Prophet ﷺ said to 'Ali bin Umayyah, may Allâh be pleased with him:

«اصْنَعْ فِي عُمْرَتِكَ مَا أَنْتَ صَانِعٌ فِي حَجِّكَ»

"Do in your 'Umrah what you do in your Hajj."

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[1] The reference for this *Hadith* was mentioned in ther previous answer.

[2] The reference for this *Hadith* was mentioned previously under no. 461.

[3] The reference for this *Hadith* was mentioned previously under no. 461

So, if you perform *Tawaful-Wida'* in your *Hajj*, then do it in your *'Umrah*. Nothing is excluded from that except what has been agreed upon by the scholars, such as standing in 'Arafat, staying in Muzdalifah, staying in Mina and stoning the *Jamarat*. All of these things, according to the consensus of the scholars are not legislated in *'Umrah*. Also because, when a person performs *Tawaf*, he may be more certain that he has fulfilled his obligations and it is more prudent for him to do so. And Allâh is the Granter of success.

Q. 536. A man assumed *Ihram* with the intention of performing *Hajj* at the starting point (*Miqat*), but when he reached Makkah, he was prevented by the Inspection Centre because he did not have the *Hajj* permit; what is the ruling on this?

A. The ruling in this case is that he was a *Muhsar*, since it was not possible for him to enter Makkah. He should slaughter a sacrificial animal in the place where he was prevented and leave his state of *Ihram*. Then if this was his obligatory *Hajj*, he should perform it later based upon what we have said above (i.e. that he was a *Muhsar*) and not make up for it.

But if it was not an obligatory *Hajj*, there is nothing incumbent upon him, according to the most authoritative opinion. This is because the Prophet ﷺ did not order those who were prevented from performing *'Umrah* in the Battle of Al-Hudaibiyyah to make up for that *'Umrah*. There is nothing in the Book of Allâh or the *Sunnah* of His Messenger ﷺ which obliges the *Muhsar* to compensate for it. Allâh, the Most High says:

﴿فَإِنْ أُحْصِرْتُمْ فَمَا ٱسْتَيْسَرَ مِنَ ٱلْهَدْيِ﴾

"But if you are prevented (from completing them), sacrifice a Hady (animal, i.e. a sheep, a cow, or a camel) such as you can afford."[1]

[1] *Al-Baqarah* 2:196

He did not mention anything except this. And *'Umratul-Qada'* was so called because the Prophet ﷺ demanded a *Qada'*[1] from Quraish, i.e. he exacted a promise from them for it. It is not *Qada'* when one makes up for something lacking. And Allâh knows better.

Q. 537. If a person intended to perform *Hajj*, then he was prevented from doing so, what is incumbent upon him?

A. If he did not assume *Ihram*, then there is nothing incumbent upon him in that case. Because if a person does not assume *Ihram*, if he wishes, he may continue on his way and if he wishes, he may return to his family. The exception is if the *Hajj* is an obligatory one, for in that case, it is incumbent upon him to hasten to perform it. But if he was prevented from doing it, then there is nothing incumbent upon him.

But if the thing which prevented him occurred after he had assumed *Ihram*, then if he made a stipulation when he assumed *Ihram* by saying: *'In Habasani Habisun Famahalli Haithu Habastani* (Should anything prevent me,' then I may leave the state of *Ihram* at the point at which You stopped me), then he may leave the state of *Ihram* and there is nothing incumbent upon him.

But if he did not make that stipulation, if he expected that the thing which was preventing him would be removed shortly, he should wait until it was removed, then complete his *Hajj*. If it was before the standing at 'Arafat, he should stand at 'Arafat and complete his *Hajj*. But if it was after the standing at 'Arafah and he did not stand there, then he has missed the *Hajj*. He should leave the state of *Ihram* as an *'Umrah* pilgrim and make up for the *Hajj* in the following year, if his *Hajj* was an obligatory one.

If he expected that the thing which was preventing him would

[1] Meaning, that the Prophet ﷺ wanted an agreement that he could make it up.

not be removed shortly, he should leave his state of *Ihram* and slaughter a sacrificial animal, according to the generality of the Words of Allâh, the Most High:

﴿وَأَتِمُّوا۟ ٱلْحَجَّ وَٱلْعُمْرَةَ لِلَّهِ ۚ فَإِنْ أُحْصِرْتُمْ فَمَا ٱسْتَيْسَرَ مِنَ ٱلْهَدْىِ﴾

"...and complete the Hajj and 'Umrah for Allâh. But if you are prevented (from completing them), sacrifice a Hady (animal, i.e. a sheep, a cow, or a camel) such as you can afford."[1]

Q. 538. Do the acts of disobedience (i.e. sins) which a *Hajj* pilgrim commits, diminish the reward of the *Hajj*?

A. Acts of disobedience in general diminish the reward of *Hajj*, according to the Words of Allâh, the Most High:

﴿فَمَن فَرَضَ فِيهِنَّ ٱلْحَجَّ فَلَا رَفَثَ وَلَا فُسُوقَ وَلَا جِدَالَ فِى ٱلْحَجِّ﴾

"So, whoever intends to perform Hajj therein (by assuming Ihram), then he should not have sexual relations (with his wife), nor commit sin, nor dispute unjustly during the Hajj."[2]

Indeed, some of the scholars say that acts of disobedience in *Hajj* invalidate the *Hajj*, because he is forbidden to do them in *Hajj*. But the majority of scholars hold to their well known rule, which is that as long as the unlawful act is not specifically related to worship, it does not invalidate the *Hajj*. Acts of disobedience are not specifically related to *Ihram*, since acts of disobedience are unlawful in *Ihram* and out of *Ihram*. This is the correct opinion, that these acts of disobedience do not invalidate the *Hajj*, but they diminish its reward.

Q. 539. If a person performed *Hajj* with a false passport, what is the ruling on his *Hajj*?

A. His *Hajj* is valid, because forging a passport does not effect

[1] *Al-Baqarah* 2:196
[2] *Al-Baqarah* 2:197

the validity of *Hajj*. But he is guilty of sin and he should repent to Allâh, the Almighty, the All-Powerful and get his name changed to the real name, so as not to deal fraudulently with those in authority. In this way the obligations which are incumbent upon him in his original name are not avoided due to the difference between his new name and his old name, for in that case, he would be devouring wealth unjustly along with lying about his change of name.

I would like to take this opportunity to advise my brothers that it is not a trifling matter regarding those people who falsify their names and borrow the names of others in order to benefit from government aid or other things. This involves fraud in dealings, lying and cheating and deceiving the authorities and the rulers. Those who do this should know that whoever fears Allâh, the Almighty, the All-Powerful, Allâh will make a way out for him (from every difficulty) and He will provide for him from where he could never imagine. Whoever fears Allâh, He will make matters easy for him, and that whoever fears Allâh and speaks the truth, Allâh will amend for him his deeds and forgive him his sins.

This work is complete, all praise and thanks are to Allâh, the Most High.